

21-2
DID# 0102074001 ORIGINAL



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
General Attorney

Writer's Direct Dial Number
(757) 629-2759

206657



November 15, 2002

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20423-0001

Re: Docket No. AB-290 (Sub-No. 214X), Norfolk Southern Railway Company –
Abandonment – Between Wyatt and Jewell Valley, Buchanan County
Virginia -- Notice of Exemption

Dear Mr. Williams:

Enclosed for filing with the Board in the captioned proceeding are an original and ten copies of the Notice of Exemption. Also, enclosed is a check in the amount of \$2700 to cover the filing fee.

Please acknowledge receipt on the enclosed copy of this letter and return it to me in the self-addressed, stamped envelope.

Yours very truly,

FEE RECEIVED

NOV 15 2002

James R. Paschall

JRP/sg
Enclosures

SURFACE
TRANSPORTATION BOARD

FILED

NOV 15 2002

ENTERED
Office of Proceedings

NOV 15 2002

Part of
Public Record

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-290 (SUB-NO. 214X)

NORFOLK SOUTHERN RAILWAY COMPANY

-- ABANDONMENT --

BETWEEN WYATT AND JEWELL VALLEY,
IN BUCHANAN COUNTY, VIRGINIA



NOTICE OF EXEMPTION

COMES NOW Norfolk Southern Railway Company ("NSR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903-10905, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for abandonment of its line of railroad lying between Milepost DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley, Virginia.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, NSR states as follows:

Traffic Certification - §§ 1152.50(b) and (d)(2)

As the attached certificate of General Manager T. N. Evans confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years (or any overhead traffic on the line can be rerouted over other lines), and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the abandonment between Milepost DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley, Virginia, will be January 6, 2003.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Norfolk Southern Railway Company, a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

James R. Paschall
General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510
(757) 629-2759

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is authority for abandonment of the line. The line for which the abandonment authority is sought consists of 6.4 miles of track between Milepost

DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley in Buchanan County, Virginia. Authority for discontinuance of operations between Mileposts DC-17.2 and DC-23.0 was granted in ICC Docket No. AB-290 (Sub-No. 100X), served July 16, 1990. A map showing the line to be abandoned, other rail lines in the area, highways, and population centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 24066 and 24622.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

NSR has received no inquiries about public use of the right of way underlying the line segment to be abandoned and is unaware of any potential public purposes to which the right of way may be suited. NSR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes, however, NSR has not yet fully researched the matter.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, NSR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, NSR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports; Certifications - § 1105.7 and § 1105.8

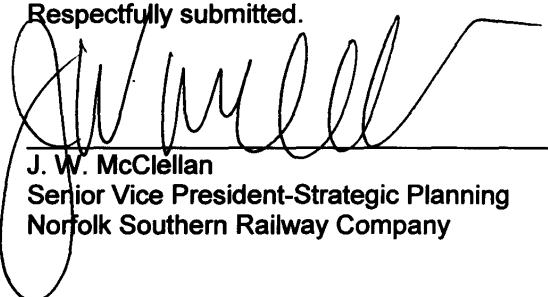
Attached are environmental and historical reports prepared and served in accordance with the Surface Transportation Board's regulations. NSR certifies that the notice and transmittal requirements of § 1105.7, § 1105.8 and § 1105.11 have been met.

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, NSR certifies that the service and notice requirements of § 1152.50(d)(1)(certain government agencies) and § 1105.12 (newspaper notice) have been complied with.

For the foregoing reasons, NSR believes the proposed rail line abandonment is exempt from under 49 U.S.C. §§ 10903-10905 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice.

Respectfully submitted.



J. W. McClellan
Senior Vice President-Strategic Planning
Norfolk Southern Railway Company

Of Counsel:

James R. Paschall
General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191
(757) 629-2759

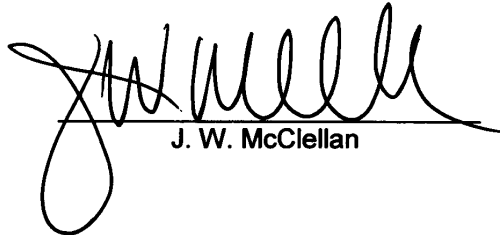
Attorney for Norfolk Southern
Railway Company

Dated: November 15, 2002

VERIFICATION

COMMONWEALTH OF VIRGINIA :
: SS:
CITY OF NORFOLK :

J. W. McClellan, being duly sworn, deposes and says that he is Senior Vice President Strategic Planning of Norfolk Southern Railway Company; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-290 (Sub-No. 214X) on behalf of Norfolk Southern Railway Company; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.


J. W. McClellan

Subscribed and sworn to before me
this 14th day of November, 2002.


Notary Public

My commission expires:

3-31-06

[SEAL]

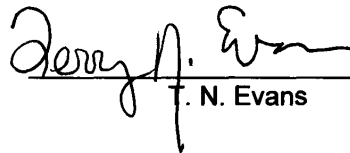
CERTIFICATION

STATE OF GEORGIA :

SS:

CITY OF ATLANTA :

T. N. Evans makes oath and says that he is General Manager Eastern Region for Norfolk Southern Railway Company; that the line between Milepost DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley, Virginia, over which operations are to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period..


T. N. Evans

Subscribed and sworn to before me
this 30th day of April, 2001.

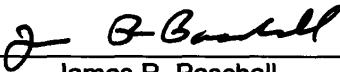

Notary Public

My commission expires:

~~NOTARY PUBLIC, GUYTON COUNTY, GEORGIA~~
~~My Commission Expires June 30, 2001~~

CERTIFICATION

I hereby certify (1), pursuant to § 1105.11, that Environmental and Historic Reports were submitted to the agencies identified in § 1105.7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 2); (2), pursuant to § 1105.12, that a notice of intent to abandon rail service was published in The Virginia Mountaineer on October 31, 2002 (see Exhibit 3); and (3) that the notice required by § 1152.50(d)(1) was given (see Exhibit 4).


James R. Paschall

Dated: November 15, 2002

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Mr. Theodore V. Morrison, Jr., Chairman, Virginia State Corporation Commission; the United States Department of Defense (MTMCTEA); National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on November 15, 2002, by first class mail, postage prepaid.

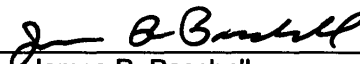
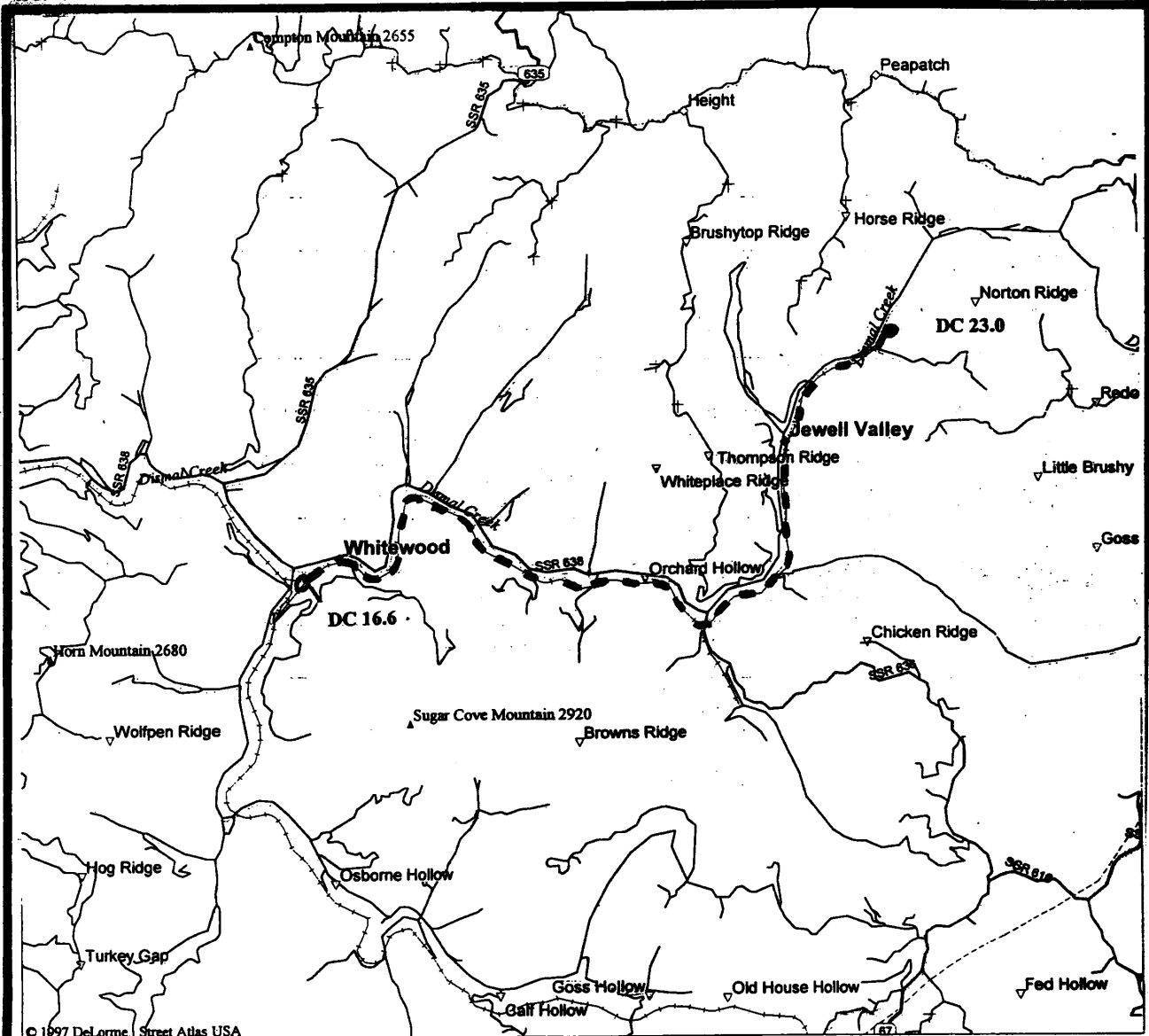

James R. Paschall

EXHIBIT 1

ALLIED REPROGRAPHICS 318127



© 1997 DeLorme, Street Atlas USA

DO NOT SCALE THIS DRAWING FOR DIMENSIONS NOT GIVEN

NS NORFOLK SOUTHERN

ORIGIN COMPANY

OFFICE OF CHIEF ENGINEER - DESIGN & CONSTRUCTION ATLANTA, GA.

REV	BY	DATE	DESCRIPTION
LOCATION Wyatt to Jewell Valley, Virginia			
TITLE Proposed Line Abandonment Between MP DC 16.6 and DC 23.0			
DGN	VAL	SEC	MAP
DWN	RPD	FILE	188-24
CHK	DATE	August 18, 2000	
MILE POST			BRANDING NUMBER
			TA 00-0100

10

CARD FILE
FIELD BOOK

SHEET OF

EXHIBIT 2

**ENVIRONMENTAL AND
HISTORIC REPORTS**

**ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT**

**NORFOLK SOUTHERN RAILWAY COMPANY
(BETWEEN MP DC-16.6 AND MP DC-23.0
WYATT TO JEWELL VALLEY,
VIRGINIA)**

**NORFOLK SOUTHERN RAILWAY COMPANY
ENVIRONMENTAL PROTECTION DEPARTMENT
110 FRANKLIN ROAD, SE
ROANOKE, VIRGINIA 24042-0013**

**1-9-15-04
11-01-01**

(WYJVER.doc)

**ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT**

**Abandonment of: 6.4 miles of track between MP DC-16.6 and MP DC-23.0 from
Wyatt to Jewell Valley, Virginia**

1. PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (hereinafter called NS) proposes to abandon 6.4 miles of rail line from Wyatt to Jewell Valley, Virginia. A Map delineating the line proposed for abandonment is attached as **Appendix A**.

The alternatives to abandonment of this line are not to abandon or to discontinue service on the line and retain the trackage in place.

2. TRANSPORTATION SYSTEM

Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. Within the last two years, no rail freight or passenger traffic has moved on the line segment proposed for abandonment. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

3. LAND USE

- (i) The proposed abandonment involves 6.4 miles of rail line from Wyatt to Jewell Valley, Virginia. The land use along the rail line proposed for abandonment of service is 50% commercial, 20% residential and 30% undeveloped. NS plans to sell the rail line.

With respect to effects of the proposed rail line abandonment on land use, NS believes any impact will be negligible. The absence of traffic on the

rail line proposed for abandonment indicates a substantial lack of rail dependent land uses in the service area. Since no rail traffic moves on the line over which service is to be abandoned, the abandonment is not expected to have any effect on existing land use, future land use, land use plans or the land use planning process. Therefore the proposed abandonment is expected to be consistent with any land use plans for the service area.

(ii) Prime Agricultural Lands

No effects on any prime agricultural land are anticipated as a result of the abandonment.

(iii) Coastal Zone

Not Applicable

(iv) Alternative Public Use

NS has fee title to the ROW underlying the line proposed for abandonment and intends to sell the referenced rail line. Considerations related to location, physical condition, and adjacent conditions, lead NS to believe the ROW of the line proposed for abandonment would be conducive for alternative public use.

4. ENERGY

(i) Development and Transportation of Energy Resources

Development and transportation of energy resources will not be affected by the abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore, compared with the past two years, the abandonment would have no effect on development and transportation of energy resources.

(ii) Movement/Recovery of Recyclable Commodities

Movement/recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore, compared with the past two years, the abandonment would have no effect on movement or recovery of recyclable commodities.

(iii) Impact on Energy Efficiency

Energy efficiency will not be impacted by the proposed abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore, compared with the past two years, the abandonment would have no effect on energy efficiency.

(iv) Diversion of Traffic to Motor Carriers

No traffic is expected to be diverted to motor carriers in connection with the proposed abandonment.

5. AIR

The proposed action is abandonment and does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(5) and therefore does not require a quantified analysis of emissions.

(i) Effects on Air Emissions

Neither the State of Virginia nor Buchanan County has established analysis thresholds for air emissions; however, the state of Virginia does have regulations regarding the emission of fugitive dust to ambient air. These regulations are published in 9 VAC 5-40-90 in the Virginia Code of Regulations and are provided in **Appendix B**. United States Environmental Protection Agency (USEPA) has National Ambient Air Quality Standards for pollutants (including ozone) as found in 40 CFR Part 50. NS does not anticipate conducting rail removal or salvage operations; accordingly, NS does not anticipate any adverse effect on Virginia's air quality as a result of the proposed abandonment.

(ii) Class I or Non-Attainment Area

Buchanan County, VA, is in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the USEPA. Buchanan County, VA, is in attainment for ozone. NS does not believe any Class I or Non-Attainment areas would be affected by the proposed abandonment.

(iii) Ozone Depleting Materials

Not applicable. Transportation of ozone depleting materials (such as nitrogen oxide and freon) is not contemplated, since the proposed action is abandonment.

6. NOISE

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(6) and therefore does not require a quantified analysis of noise levels. NS proposes to sell the referenced rail line and does not anticipate conducting rail removal or salvage operations; accordingly, there will be no noise associated with the proposed abandonment.

There is no federal noise regulation according to the USEPA. Neither Buchanan County nor the State of Virginia have established analysis thresholds for noise.

7. SAFETY

(i) Public Health and Safety

Abandonment of the captioned rail line will have no significant effect upon public health or safety. NS plans to sell the referenced rail line.

(ii) Hazardous Materials Transport

Not applicable. Action proposed is abandonment.

(iii) Hazardous Waste or Hazmat Spill Sites

NS has no knowledge of any hazardous waste sites or sites where there have been known hazardous material spills on the ROW of the line proposed for abandonment or which will be affected by this abandonment. A search of company records was conducted and comments were requested from federal, state and local agencies.

8. BIOLOGICAL RESOURCES

- (i) The US Fish and Wildlife Service (USFWS) and/or the Virginia Department of Conservation Recreation Division of Natural Heritage has indicated two endangered and/or threatened species which may occur in Buchanan County. According to the USFWS, the two species listed have been documented in an adjacent county and may be present in this county. This information is provided in **Appendix C** and is summarized below:

**TABLE I
ENDANGERED AND/OR THREATENED SPECIES
BUCHANAN COUNTY VIRGINIA**

	Scientific Name	Common Name	Federal Status	State Status
* Mammals	<i>Myotis sodalis</i>	Indiana Bat	LE	--
* Vascular Plants	<i>Spiraea virginiana</i>	Virginia Spiraea	LT	--

LE - Listed Endangered

LT- Listed Threatened

-- - Not Applicable

* - This species has been documented in an adjacent county and may be present in this county.

NS is not aware of any critical habitat that would be destroyed or modified as a result of the proposed abandonment. Since rail removal or salvage

operations are not anticipated, NS does not believe that any endangered species that might be present would be adversely affected.

(i) Sanctuaries, Refuges and Parks

Based on the site investigation and comments received from government agencies, the line segment proposed for abandonment does not pass through any parks, national forests, or wildlife sanctuaries. No adverse effects on any wildlife sanctuary, National Park, or State Park are anticipated.

9. WATER

(i) Water Quality Standards

NS proposes to sell the referenced rail line and does not intend to remove rail or conduct salvage operations associated with the proposed abandonment. There are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment. Accordingly, no water quality impacts are expected in connection with the proposed action. Therefore, NS considers the abandonment to be consistent with any applicable Federal, State and/or local water quality standards.

(ii) Wetlands/100-Year Flood Plains

The rail line proposed for abandonment crosses Aily Branch, Jones Fork, Seng Camp Fork, Lick Branch, and Laurel Fork, and passes through 100-year flood plains and wetlands associated with these waterways. Since, NS does not intend to alter the geometry of the roadbed, no discernible effects on either 100-year flood plains or wetlands are expected in

connection with the proposed abandonment. Consequently, NS does not believe a Section 404 permit will be required in connection with the proposed abandonment.

(iii) Section 402 Permit

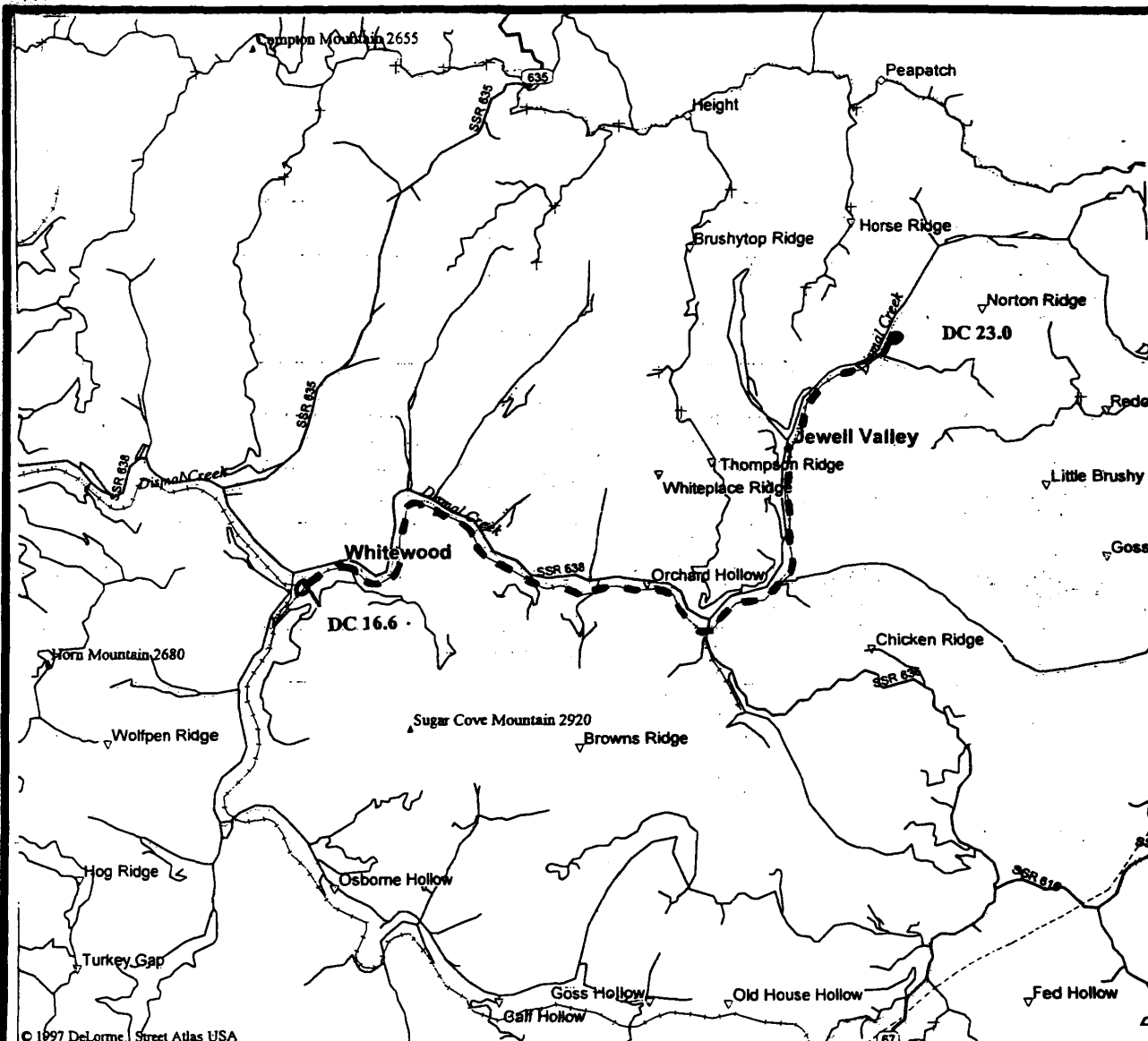
Inasmuch as NS does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned, undertake significant in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, water quality effects should be negligible. NS does not believe that a permit under Section 402 of the Federal Water Pollution Control Act will be required.

10. PROPOSED MITIGATION

NS plans to sell the involved rail line and does not anticipate removing rail or conducting salvage operations associated with the proposed abandonment. Therefore, abandonment of the involved rail line is not expected to produce adverse environmental impacts.

APPENDIX A

Site Map



© 1997 DeLorme Street Atlas USA

DO NOT SCALE THIS DRAWING FOR DIMENSIONS NOT GIVEN

NORFOLK SOUTHERN

DESIGN COMPANY

OFFICE OF CHIEF ENGINEER - DESIGN & CONSTRUCTION ATLANTA, GA.

22

REV	BY	DATE	DESCRIPTION
LOCATION Wyatt to Jewell Valley, Virginia			
TITLE Proposed Line Abandonment Between MP DC 16.6 and DC 23.0			
DGN	VAL	SEC	MAP
DGN	RPD	FILE	188-24
CHK	DATE	August 18, 2000	
MILE POST			BRANCH NUMBER
			TA 00-0100

CADD FILE

DATE OF REVISION

CHECK

OF

APPENDIX B

Fugitive Dust Regulation

FAX TRANSMISSION
COMMONWEALTH of VIRGINIA
DEPARTMENT OF ENVIRONMENTAL QUALITY

Street Address: 355 Deadmore Street, Abingdon, Virginia 24210
Mailing Address: P.O. Box 1688, Abingdon, Virginia 24212-1688
Fax: (540) 676-4899
<http://www.deq.state.va.us>

To: Ira **Date:** March 21, 2001
Fax #: (540) 322-1510 **Pages:** 2 (including this cover page)
From: Martha West, REM
Subject: Standard for Fugitive Dust/Emissions

COMMENTS:

Attached is the Virginia Air Pollution Regulation for fugitive dust emissions (9 VAC 5-40-90. Basically, if you keep the water on it and try to avoid stirring up dust, you will be okay by this regulation. It's a very short regulation. If you have other questions about this information, please feel free to give me a call at (540)676-4820. Thank you.

Sincerely,



Martha West, REM
Environmental Engineer
Air Compliance

"Six-minute period" means any one of the 10 equal parts of one hour or a one-hour period, as may be applicable.

9 VAC 5-40-80. Standard for visible emissions.

Unless specified otherwise in this part, no owner or other person shall cause or permit to be discharged into the atmosphere from any affected facility any visible emissions which exhibit greater than 20% opacity, except for one six-minute period in any one hour of not more than 60% opacity. Failure to meet the requirements of this section because of the presence of water vapor shall not be a violation of this section.

9 VAC 5-40-90. Standard for fugitive dust/emissions.

No owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.

2. Application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles and other surfaces which may create airborne dust; the paving of roadways and maintaining them in a clean condition.

3. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.

4. Open equipment for conveying or transporting materials likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion.

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

9 VAC 5-40-100. Monitoring.

A. Unless otherwise approved by the board, all continuous monitoring systems required by this article shall be installed, calibrated, maintained and operated in accordance with applicable requirements in 9 VAC 5-40-40 and 9 VAC 5-40-41.

APPENDIX C
Federal and State Threatened and
Endangered Species Listings

Natural Heritage Resources of Buchanan County, Virginia

For an explanation of the rank and status codes click
[here](#)

last updated: FEBRUARY 2000

SCIENTIFIC NAME	COMMON NAME	GLOBAL RANK	STATE RANK	FEDERAL STATE STATUS	LAST SEEN IN CO SINCE 1980?
** INVERTEBRATES					
PARAVITREA MIRA	FUNNEL SUPERCOIL	G2	S2		No Date
SPEYERIA IDALIA	REGAL FRITILLARY	G3	S1		No Date
** VASCULAR PLANTS					
JUNCUS ARTICULATUS	JOINTED RUSH	G5	S1S2		Y
SAXIFRAGA CAREYANA	CAREY SAXIFRAGE	G3	S2?		Y
STYLOPHORUM DIPHYLLOM	CELANDINE POPPY	G5	S2		Y

TRILLIUM FLEXIPES

NODDING TRILLIUM

G5

S1

N

6 Records Processed



United States Department of the Interior

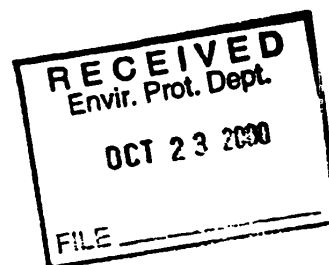
FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, Virginia 23061



October 16, 2000

Mr. Larry G. Western
Norfolk Southern Corporation
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013



Greetings:

The U.S. Fish and Wildlife Service has received your request to review the attached project for potential impacts to federally listed or proposed endangered and threatened species and designated critical habitat in Virginia pursuant to the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Attached are lists of species with federal status and species of concern that have been documented or may occur in the county(s) where your project is located. These lists were prepared by this office and are based on information obtained from previous surveys for rare and endangered species.

Due to the limited staff in this office, we are unable to review projects in a timely manner. Therefore, we request that you send the attached project to the following state agencies for review:

Plant Protection
Virginia Department of Agriculture and Consumer Services
P.O. Box 1163
Richmond, VA 23218
(804) 786-3515

Virginia Department of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230
(804) 367-1000

Virginia Department of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, VA 23219
(804) 786-7951

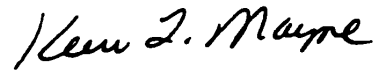
Mr. Larry G. Western

2

It is recommended that all of the agencies named above review the project because each maintains a different database and has differing expertise and/or regulatory responsibility.
IF ANY OF THESE AGENCIES DETERMINES THAT YOUR PROJECT MAY IMPACT A FEDERALLY LISTED, PROPOSED, OR CANDIDATE SPECIES OR CRITICAL HABITAT, PLEASE CONTACT THIS OFFICE; OTHERWISE, FURTHER CONTACT WITH THIS OFFICE IS NOT NECESSARY.

If you have any questions or need further assistance, please contact Eric Davis of this office at (804) 693-6694, extension 104.

Sincerely,



Karen L. Mayne
Supervisor
Virginia Field Office

Enclosures



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

RECEIVED

OCT 13 2000

October 2, 2000
1-9-VA-15-4

US Fish & Wildlife Service
Region 5
300 Westgate Center Drive
Hadley, MA 01035

To Whom It May Concern:

Norfolk Southern Railway Company is preparing Environmental Reports for the proposed abandonment of five segments of railway line in Buchanan, Virginia. Maps indicating the locations of the proposed abandonments are enclosed.

Are any threatened or endangered species known to exist in the areas indicated on the enclosed maps? Are there any tracts of Critical Habitat in the area that could be adversely affected by the proposed abandonments? The requested information is needed to complete Environmental Reports for submission to the Surface Transportation Board. The Surface Transportation Board will use the Environmental Report as the basis for their independent environmental analysis of the proceedings.

Please respond at your earliest convenience to Larry G. Western at the letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry G. Western', written over a horizontal line.

Larry G. Western
Engineer Environmental Design

Enclosures

KEY

LE - federally listed endangered.

LT - federally listed threatened.

PE - federally proposed endangered.

PT - federally proposed threatened.

EX - believed to be extirpated in Virginia.

LE(S/A) - federally listed endangered due to similarity of appearance to a federally listed species.

LT(S/A) - federally listed threatened due to similarity of appearance to a federally listed species.

C - candidate species; the U.S. Fish and Wildlife Service has enough information to list the species as threatened or endangered, but this action is precluded by other listing activities.

SOC - species of concern; those species that have been identified as potentially imperiled or vulnerable throughout their range or a portion of their range. These species are not protected under the Endangered Species Act.

C2 - former U.S. Fish and Wildlife Service category 2 candidate species.

G - global rank; the species rarity throughout its total range.

G1 - extremely rare and critically imperiled with 5 or fewer occurrences or very few remaining individuals; or because of some factor(s) making it especially vulnerable to extinction.

G2 - very rare and imperiled with 6 to 20 occurrences or few remaining individuals; or because of some factor(s) making it vulnerable to extinction.

G3 - either very rare and local throughout its range or found locally (abundantly at some of its locations) in a restricted range; or vulnerable to extinction because of other factors. Usually fewer than 100 occurrences are documented.

G_T_ - signifies the rank of a subspecies or variety. For example, a G5T1 would apply to a subspecies of a species that is demonstrably secure globally (G5) but the subspecies warrants a rank of T1, critically imperiled.

G_Q - The taxon has a questionable taxonomic assignment.

Indiana Bat

Myotis sodalis



Description - The Indiana bat occurs throughout 27 states in the eastern and midwestern U.S. It is found in the western portion of Virginia during hibernation, but seldom found in Virginia during the summer. This medium-sized, short-eared bat is two inches from head to toe and has a wing span of two inches. Its fur is dull grayish-brown and the underparts are pinkish.

Life History - After mating in the fall, the Indiana bat travels up to 300 miles to hibernate in large caves and abandoned mines that have stable, cold temperatures during the winter. The fact that the Indiana bats congregate and form large aggregations in only a small percentage of known caves suggests that very few caves meet their requirements. During hibernation they can be found on flat ceilings of caves in clusters containing 500 to 1,000 or more bats. Half of all hibernating Indiana bats winter in Indiana. Hibernation begins in mid-October and ends in April; females are the first to leave. Males roost in caves or mines during the summer.



U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694
<http://www.fws.gov>
August 1999

Maternity colonies are located in riparian forests along streams. Females roost together in hollow trees or under loose bark and have one young per pregnancy. The young are born in late June or early July. After one month, young are capable of flight and begin independent feeding. Foraging takes place along forested streams. They feed exclusively on insects.

Conservation - The Indiana bat was federally listed as an endangered species on March 11, 1967. This bat has declined primarily due to human disturbance during hibernation. This species is easily disturbed by human activity such as vandalism, caving, and research during the hibernating months. Other threats are flooding of caves, blockage of cave entrances, and pesticide poisoning.

What You Can Do To Help - Avoid using pesticides and other chemicals near caves and waterways. Do not enter gated caves or mines. These gates have been installed to protect bats and human safety. Cave habitats are fragile and easily disturbed; if you must enter a cave, do so only as an observer and leave everything as you found it. Never shoot, poison, or otherwise harm bats. Bats are extremely beneficial insect eaters, and nuisance bats can be encouraged to move elsewhere. If you find a bat, please do not disturb it!

Contact one of the following agencies for assistance:

Virginia Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804) 367-1000

Virginia Department of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, Virginia 23219
(804) 786-7951

U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694

References

Dalton, V.M. and C.O. Handley, Jr. 1991. Social myotis. Pages 569-570 in K. Terwilliger, ed. *Virginia's Endangered Species, Proceedings of a Symposium*. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

U.S. Fish and Wildlife Service. 1999. Agency Draft: revised draft of the recovery plan for the Indiana bat (*Myotis sodalis*). Fort Snelling, Minnesota.

Virginia Spiraea

Spiraea virginiana



USFWS

Description - The Virginia spiraea is found in the Appalachian Plateaus or the southern Blue Ridge Mountains in Alabama, Ohio, West Virginia, Virginia, Tennessee, North Carolina, Kentucky, and Georgia. It no longer occurs in Pennsylvania. This plant was first discovered in Virginia in 1985. Most of the existing populations consist of only a few clumps. Mature plants reach a height of three to ten feet. Young stems are greenish-yellow to dark brown and mature stems are dark gray. The roots form a complex system. The creamy white flowers are in tightly packed bunches.

Life History - Virginia spiraea is found along scoured banks of high gradient streams or on meander scrolls, point bars, natural levees, and braided features of lower stream reaches. Soils are sandy, silty, or clay and elevation range is 1000-2400 feet. If the roots are exposed, they will give rise to upright stems. Seed production is sporadic and seedlings have never been documented in the wild. Sexual reproduction in rare indicating the

genetic variability within and probably between stream occurrences is low. Few mature seeds and no seedlings have been observed. Little population expansion has been reported. Late summer and fall flower bunches often dry and persist during the winter, making field identification possible.

Fragmentation by erosion or scour and subsequent downstream travel may be the most important means of dispersal for this species. The most important factor in maintaining this plant seems to be removal of woody competition by erosion. Scour must be sufficient to remove woody trees and vines without washing out the horizontal root.

Conservation - The Virginia spiraea was federally listed as a threatened species on July 16, 1990.

Impoundments are a threat to this species because they inundate habitat and stabilize downstream water flow. Other threats include road maintenance, beaver damage, off-road vehicle use, deer browse, non-native plant species, chemical spills, and pollution. Random events are so significant in the life cycle of this species that a list of additional threats would be lengthy and specifically associated with a particular part of the life cycle.

What You Can Do To Help - If you find a plant that appears to be the Virginia spiraea, take note of the location and photograph the plant, if possible. Please do not remove the plant!

Contact one of the following agencies for assistance:

Virginia Department of Agriculture
and Consumer Services
Office of Plant Protection
P.O. Box 1163
Richmond, Virginia 23209
(804) 786-3515

Virginia Department of
Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, Virginia 23219
(804) 786-7951

U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694

References

Ogle, D. 1991. Virginia spiraea. Pages 117-119 in K. Terwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

U.S. Fish and Wildlife Service. 1992. Virginia spiraea (*Spiraea virginiana* Britton) recovery plan. Newton Corner, Massachusetts.



U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694
<http://www.fws.gov>
August 1999

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural
Resources



David G. Brickley
Director

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street, 3rd Floor

TDD (804) 786-2121 Richmond, Virginia 23219 (804) 786-7951 FAX (804) 371-2674

<http://www.state.va.us/~dcr/vaher.html>

April 30, 2001

Mr. David Wilson
Program Manager
Marshall Miller & Associates
Bluefield Virginia Industrial Park
P.O. Box 848
Bluefield, VA 24605

Re: Proposed Abandonments of Railway Segments (Long Spur Jct, Oakwood, Dwight, Knopp, Wyatt, Pocahontas, Hurricane Jct., Russell Creek, Banner and Arno Jct.)

Dear Mr. Wilson:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Oakwood, Banner, Long Spur Jct, Knopp, Dwight,

According to the information currently in our files, natural heritage resources have not been documented in the project area. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Arno Jct.

BCD documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Russell Creek and Hurricane Jct.

According to the information currently in our files, natural heritage resources have been documented downstream of the proposed railway segments. To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of

and strict adherence to erosion and sediment control measures during all land disturbing activities.

Wyatt

According to information currently in our files, Jointed Rush (*Juncus articulatus*, G5/S1S2/NF/NS) has been documented in the project.

Pocahontas

According to the information currently in our files, the green floater (*Lasmigona subviridis*, G3/S2/NF/SC) has been documented downstream of the project. The green floater, a rare freshwater mussel, ranges from New York to North Carolina in the Atlantic Slope drainages, as well as the New and Kanawha River systems in Virginia and West Virginia. Throughout its range, the green floater appears to prefer the pools and eddies with gravelly and sandy bottoms of smaller rivers and creeks or of smaller channels of large rivers (Ortman, 1919). According to Riddick (1973), in central Virginia, the green floater prefers habitats with gravel or sand bottoms in small to medium-sized streams. Green floaters are small, usually reaching a length less than 55mm. The color on the shell varies from pale yellow to brownish green. There may be numerous narrow or wide green or blackish rays on the shell surface, mostly on juveniles (Kitchel, 1991). Please note that this species is currently classified as a special concern species by the Virginia Department of Game and Inland Fisheries (VDGIF); however, this designation has no official legal status.

Considered good indicators of the health of aquatic ecosystems, freshwater mussels are dependent on good water quality, good physical habitat conditions, and an environment that will support populations of host fish species (Williams et al., 1993). Because mussels are sedentary organisms, they are sensitive to water quality degradation related to increased sedimentation and pollution. They are also sensitive to habitat destruction through dam construction, channelization, and dredging, and the invasion of exotic mollusk species.

Under the Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Department of Conservation and Recreation (DCR), DCR has the authority to report for VDACS on state-listed plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to BCD. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$70.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 203 Governor Street, Suite 402, Richmond, VA 23219, ATTN: Cashier. Payment is due within thirty days of the invoice date.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

 for Rene Hypes

S. Rene Hypes

Project Review Coordinator

cc: Ray Fernald, VDGIF

Literature Cited

- Kitchel, L. 1991. Green Floater. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia.
- Ortman, A.E. 1919. A monograph of the naiades of Pennsylvania, Part 3: Systematic account of the genera and species. Mem. Carnegie Mus. 8:1-384.
- Riddick, M.B. 1973. Freshwater mussels of the Pamunkey River system, Virginia. M.S. Thesis, Virginia Commonwealth University, Richmond, VA 105pp.
- Williams, J.D., M.L. Warren, Jr., K.S. Cummings, J.L. Harris, and R.J. Neves. 1993. Conservation status of freshwater mussels of the United States and Canada. Fisheries 18: 6-9.

ATTACHMENT 1

CONSULTATIONS

CONTACTS
Wyatt to Jewell Valley

Buchanan County	No Comment 6/13/01 Mr. William Caudill, County Administrator
NRCS (Lebanon, VA)	No Comment 6/28/01 Mr. Joe Wentz, District Conservationist
NRCS (Clintwood, VA)	See Attachment 1
US EPA Region 4	See Attachment 2
VA Dept. of Game & Inland Fisheries	See Attachment 3
National Geodetic Survey	See Attachment 4
US Army Corps of Engineers	See Attachment 5
VA DEQ	See Attachment 6
VA Dept. of Conservation and Recreation	See Attachment 7
US Fish & Wildlife Service	See Attachment 8
VA Dept. of Transportation	6/26/01 Mr. Chris Collins was unavailable on three occasions.
National Park Service	6/29/01 Ms. Cindy Szymanski said that she will respond to the Surface Transportation Board and NSRC during the week of July 2, 2001. Currently re-contacting Ms Szymanski for the response. See Attachment 9
VA Dept. of Historic Resources	6/28/01 Ms. Lilly Richards was to review the proposals and respond later in the week of June 25, 2001. Currently re- contacting Ms. Richards for the response. See Attachment 10

Nov 20 '01

14:20 No.004 P.04

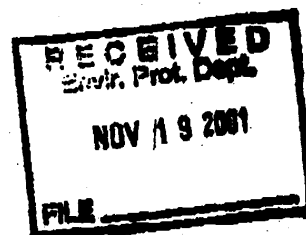

RECEIVED
Scott Denson

NOV 20 2001
U.S. DEPT. OF AGRICULTURE
NATIONAL SYSTEM OF PUBLIC LANDS
BUREAU OF LAND MANAGEMENT
1400 EAST 17TH AVENUE
DENVER, CO 80202-1500

ATTACHMENT # 1

November 16, 2001

Mr. K. R. Miller
Norfolk Southern Corporation
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013



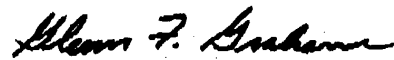
RE: Norfolk Southern Railway Company Proposed Main Line
Abandonment

Dear Mr. Miller:

This is in reference to abandonment of 6.4 miles of rail line located between milepost DC-16.6 and DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. I would anticipate no environmental impacts from abandonment of this rail line according to information in your letter of October 26, 2001.

If I can be of further assistance, please let me know.

Sincerely,



Glenn F. Graham
Resource Conservationist
USDA/NRCS

GFG/br

The Natural Resources Conservation Service prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.



COMMONWEALTH of VIRGINIA

Department of Historic Resources

James S. Gilmore, III
Governor

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

John Paul Woodley, Jr.
Secretary of Natural Resources

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.state.va.us

November 6, 2001

Mr. James R. Paschall
Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

Re: Line Abandonments at Long Spur Junction, Between ~~Virginia Beach and Norfolk~~ Between
Hurricane Junction and Clinchfield, and Between Dwight and Spruce Pine
Virginia
DHR File Number 2001-1469

Dear Mr. Paschall:

Thank you for the opportunity to review and comment on the referenced projects. Based on the information provided, the DHR concurs that the proposed actions will not effect properties eligible for or listed on the National Register of Historic Places.

Thank you again for consulting with us. If you have any questions or if we can be of any further assistance, please do not hesitate to contact me at 804-367-2323 ext. 140 or Irichards@dhr.state.va.us.

Sincerely,

Lily A. Richards
Archaeologist and Historian, Division of Resource Services and Review

C. K. R. Miller



Program Services Div.
10 Courthouse Ave.
Petersburg, VA 23903
Tel: (804) 863-1685
Fax: (804) 862-6196

Petersburg Office
19-B Bollingbrook Street
Petersburg, VA 23803
Tel: (804) 863-1620
Fax: (804) 863-1627

Portsmouth Office
612 Court St., 3rd Fl.
Portsmouth, VA 23704
Tel: (757) 396-6707
Fax: (757) 396-6711

Roanoke Office
1030 Penmar Ave., SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

Winchester Office
107 N. Kent St., #203
Winchester, VA 23301
Tel: (540) 722-3427
Fax: (540) 722-7535



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.state.va.us

August 21, 2001

K.R. Miller
Norfolk Southern
Environmental Protection
110 Franklin Road, SE
Roanoke, Virginia 24042-0013

Re: Various Line Abandonments
DHR File Numbers 2001-0825; 2001-0824; 2001-0947; 2001-0823

Dear Mr. Miller:

Thank you for the opportunity to comment on the referenced projects. I apologize for the serious delay in our response. The DHR concurs with Norfolk Southern that the following projects will not effect historic properties:

Abandonment of rail line between Kopp and Wolf Pen Branch, Buchanan County, Virginia
Abandonment of rail line between Wyatt and Jewell Valley, Buchanan County, Virginia
Abandonment of rail line between Dwight and Spruce Pine, Buchanan County, Virginia
Abandonment of rail line between Long Spur Junction and End of Track, Buchanan County, Virginia
Abandonment of rail line between Oakwood and Mills, Buchanan County, Virginia
Abandonment of rail line between Arno Junction and Derby, Wise County, Virginia
Abandonment of rail line between Russell Creek and Calendonia, Wise County, Virginia
Abandonment of rail line between Banner and Little Tom Branch, Wise County, Virginia
Abandonment of rail line between Hurricane Junction and Clinchfield, Wise County, Virginia
Abandonment of rail line between Dwight and Spruce Pine, Russell County, Virginia
Abandonment of rail line between Bluestone, West Virginia and Pocahontas, Tazewell County, Virginia

While the DHR concurs with these determinations, we ask that in the future Norfolk Southern complete a search of our archives prior to submission of applications for abandonment. Information on archives searches is available on our website at www.dhr.state.va.us. In addition, information concerning the potential historical significance of the lines to be abandoned should also be included.

Program Services Div.
10 Courthouse Ave.
Petersburg, VA 23903
Tel: (804) 863-1005
Fax: (804) 863-6106

Petersburg Office
19-B Hollingsbrook Street
Petersburg, VA 23903
Tel: (804) 863-1630
Fax: (804) 863-1637

Portsmouth Office
613 Court St., 3rd Fl.
Portsmouth, VA 23704
Tel: (757) 396-6707
Fax: (757) 396-6712

Roanoke Office
1080 Fanner Ave., SE
Roanoke, VA 24013
Tel: (540) 967-7886
Fax: (540) 967-7888

Winchester Office
107 N. Kent St., #200
Winchester, VA 23391
Tel: (540) 753-3487
Fax: (540) 753-7636

Thank you again for consulting with us. If I can be of any further assistance, please contact me at (804) 367-2323 ext. 140 or richards@chr.state.va.us.

Sincerely,



Lily A. Richards
Archaeologist and Historian, Division of Resource Services and Review

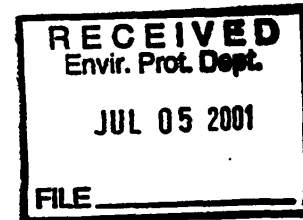


United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061

July 3, 2001



Mr. Larry G. Western
Norfolk Southern Corporation
110 Franklin Road, Southeast
Roanoke, Virginia 24042-0013

Re: Norfolk Southern Railway
Abandonment, Buchanan County,
Virginia

Dear Mr. Western:

The U.S. Fish and Wildlife Service (Service) has received your five May 23, 2001 letters and your June 15, 2001 facsimile requesting information on federally listed species for the referenced project in Buchanan County, Virginia. This letter is submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The proposed action is to abandon the following five segments of rail line:

- 0.63 miles from milepost KP-0 to KP-0.63 from Kopp to Wolf Pen Branch
- 6.4 miles from milepost DC-16.6 to DC-23 from Wyatt to Jewell Valley
- 2.95 miles from milepost SP-0 to SP-2.95 from Dwight to Spruce Pine
- 2.23 miles from milepost HS-0 to HS-2.23 from Oakwood to Mills
- 0.4 miles from milepost LS-0 to LS 0.4 from Long Spur Junction to End of Track

To minimize impacts to Buchanan County's valuable aquatic resources, the Service recommends you implement strict erosion control measures during land disturbing activities. If strict erosion control measures are taken, the Service believes the proposed action will have no effect on federally listed species.

If you have any questions or need further assistance concerning this project, please contact Mr. Eric Davis at (804) 693-6694, extension 104.

Sincerely,

Karen L. Mayne
Supervisor
Virginia Field Office



U.S. Army Corps of Engineers
Norfolk District, Western Virginia Regulatory Section
Clinch Valley Regulatory Office
POB 338
Abingdon, Virginia 24212-0338

June 22, 2001

Project Number: 01-K0066

Waterway: None Listed

1. Participant:

Norfolk Southern Corporation
Attn: Larry Western
Environmental Protection
110 Franklin Road, S. E.
Roanoke, Virginia 24042-0013

2. Authorized Agent:

Marshall Miller and Associates
POB 848
Bluefield, Virginia 24605-0848

3. Address of Job Site:

Between milepost DC-16.6 and Milepost DC-23
From Wyatt to Jewell Valley, VA

4. Project Description:

Rail abandonment of 6.4 miles of rail

Notification indicates there will be no instream work, no dredge or fill operations associated with the proposed abandonment.

5. Findings

This is in reference to your application for a Department of the Army permit to perform the work as described in part 4 above.

The proposed work does not fall within the Corps of Engineers' jurisdiction. No permit will be required from this office. Please note that you should obtain all required State and local authorizations before you proceed with the project.

CC:

Surface Transportation Board
SEA, Room 3219
1925 K Street, NW
Washington, DC 20423

6. Corps Contact: Annette Poore (540) 623-5259

(for) 

Bruce F. Williams
Acting Chief, Western Virginia Regulatory Section

NAO FL 13 REVISED DEC 90



COMMONWEALTH of VIRGINIA

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Department of Game and Inland Fisheries

June 12, 2001

William L. Woodfin, Jr.
Director

David Wilson
Marshall Miller & Associates
Bluefield Virginia Industrial Park
Po Box 848
Bluefield, VA 24605

RE: ESSLOG 14642; Multiple Proposed Line Abandonments

Dear Mr. Wilson:

This letter is in response to your request for information related to the presence of threatened or endangered species in the vicinity of the above referenced project.

Information about fish and wildlife species was generated from our agency's computerized Fish and Wildlife Information System, which describes animals that are known or may occur in a particular geographic area. Field surveys may be necessary to determine the presence or absence of some of these species on or near the proposed area. Also, additional sensitive animal species may be present, but their presence has not been documented in our information system.

Bluestone, West Virginia to Pocahontas, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*), and the state special concern species golden-winged warbler, (*Vermivora chrysoptera*). These species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classifications of "federal species of concern" and "state special concern species" are not legal designations and do not require coordination.

Arno Junction to Derby, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require coordination.

4010 WEST BROAD STREET, P.O. BOX 111, RICHMOND, VA 23230-1104
(804) 367-1000 (V/TDD) Equal Opportunity Employer 48ograms and Facilities FAX (804) 367-9147

Banner, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Russell Creek to Caledonia, Virginia

The federally endangered birdwing pearly mussel, (*Lemiox rimosus*), the federally endangered fine-rayed pigtoe mussel, (*Fusconaia cuneolus*), the federally endangered shiny pigtoe mussel, (*Fusconaia cor*), the federal candidate fluted kidneyshell mussel, (*Ptychobranhus subtentum*), the state endangered deertoed mussel, (*Truncilla truncata*), the state threatened elephant ear mussel, (*Elliptio crassidens*), the state threatened black sandshell mussel, (*Ligumia recta*), the state threatened fragile papershell mussel, (*Leptodea fragilis*) have been documented in the project area. The applicant must coordinate with this Department and with the U.S. Fish and Wildlife Service to evaluate potential impacts to these species.

The state special concern species sauger, (*Stizostedion canadense*), the state special concern species popeye shiner, (*Notropis ariommus*), the state special concern species Tennessee pigtoe mussel, (*Fusconaia barmesiana*), and the federal species of concern state special concern species elktod mussel, (*Alasmodonta marginata*), have been documented in the project area. The classifications of "federal species of concern" and "state special concern species" are not legal designations and do not require further coordination.

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time.

Hurricane Junction to Hurricane Creek, Virginia

The state threatened black sandshell mussel, (*Ligumia recta*), has been documented in the project area. The applicant should coordinate with this Department to evaluate potential impacts to this species.

Long Spur Junction, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Oakwood to Mills, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Dwight to Spruce Pine, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require further coordination.

A survey along a route passing in the vicinity of the project area has documented the presence of the state special concern species gold-winged warbler, (*Vermivora chrysoptera*), during the breeding season. This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "state special concern species" is not a legal designation and does not require further coordination.

Kopp, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Wyatt to Jewel Valley, Virginia

The state endangered variegate darter, (*Etheostoma variatum*), has been documented in the project area. The applicant should coordinate with this Department to evaluate potential impacts to this species.

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require further coordination.

Endangered plants and insects are under the jurisdiction of the Virginia Department of Agriculture and Consumer Services, Bureau of Plant Protection. Questions concerning sensitive

David Wilson
ESSLOG# 14642
June 12, 2001
Page 2

plant and insect species occurring at the project site should be directed to Keith Tignor at (804) 786-3515.

This letter summarizes the likelihood of the occurrence of endangered or threatened animal species at the project site. If you have additional questions in this regard, please contact me at (804) 367-2211. Please note that this response does not address any other environmental concerns; these issues are analyzed by our Environmental Services Section, in conjunction with interagency review of applications for state and federal permits. If you have any questions in this regard, please contact Ray Fernald or Tom Wilcox at (804) 367-8999.

There is a processing charge of \$50.00 for our response. Please remit a check, made payable to **TREASURER OF VIRGINIA**, within 30 days to MaryBeth Murr at the address listed on the first page. Include a copy of this letter with your payment to ensure that your account is properly credited.

The Fish and Wildlife Information Service, the system of databases used to provide the information in this letter, can now be accessed via the Internet! The Service currently provides access to current and comprehensive information about all of Virginia's fish and wildlife resources, including those listed as threatened, endangered, or special concern; colonial birds; waterfowl; trout streams; and all wildlife. Users can choose a geographic location and generate a report of species known or likely to occur around that point. From our main web page, at www.dgif.state.va.us, choose the hyperlink to "Wildlife Information Online". For more information, please contact Amy Martin, Online Service Coordinator, at (804) 367-2211.

Thank you for your interest in the wildlife resources of Virginia.

Sincerely,



Amy Martin
Online Services Coordinator

cc: R.T. Fernald, VDGIF
Karen Mayne, USFWS

**Virginia Department of Game and Inland Fisheries
Wildlife Diversity Division
Environmental Response Invoice**

Date of Response:	June 12, 2001	
EssLog Number:	14642	
Name of Respondent:	Amy Martin	
Name of Recipient:	David Wilson	
Company Affiliation:	Marshall Miller & Associates	
Company Address:	PO Box 848, Bluefield, VA 24605	
Recipient Phone #:	540-322-5467	
2	Total Hourly Charges:	\$50.00
	Total Map Charges:	\$ -
	Diskettes and Copying Charges:	\$ -
	Total Other Charges:	\$ -
	Total Due:	\$ 50.00

Please make checks payable to the **Treasurer of Virginia**.

Payment should be returned to:

Mary Beth Murr
Virginia Department of Game and Inland Fisheries
Wildlife Diversity Division
4010 West Broad Street
Richmond, VA 23230-1104

Questions concerning payment should be directed to the respondent above in the
Fish and Wildlife Information Section at (804) 367-6913

**Please include a copy of this invoice with payment to ensure proper crediting
of your account.**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

June 20, 2001

Mr. Rory Mullennex
Marshall Miller and Associates
P.O. Box 848
Bluefield, VA 24605-0848

SUBJECT: EPA Region 4 Approach to Railroad Abandonment Proposals

Dear Mr. Mullennex:

As discussed today with Chris Hoberg of my staff, the U.S. Environmental Protection Agency (EPA) is providing for your reference copies of recent letters concerning proposed railroad abandonments. These letters to Mr. Larry Western and Mr. James Paschall of Norfolk Southern (NS) and their letter attachments indicate the approach EPA Region 4 is currently taking regarding routine, environmentally benign railroad abandonment proposals made by NS and other rail line companies. However, should a future proposal have an environmental concern, please feel free to contact Chris Hoberg at 404/562-9619.

EPA appreciates your concern and coordination with us.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mueller", is positioned above the typed name.

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

Enclosure

June 13, 2000

4EAD-OEA

Mr. Larry G. Western
Norfolk Southern Corporation
110 Franklin Road, SE
Roanoke, VA 24042-0013

**SUBJ: EPA Generic Comments on Norfolk Southern Corporation (NS) Railroad
Abandonment Proposals**

Dear Mr. Western:

As you have discussed with Chris Hoberg of my staff, NS has provided the U.S. Environmental Protection Agency (EPA) with numerous railroad abandonment proposals over the years for our comment. NS apparently seeks EPA comment to satisfy Surface Transportation Board (STB) requirements.

EPA has provided many response letters to these proposals. Most of them were generic and quite similar. Although not without impacts, the proposed abandonments would terminate the use of a line section and are generally benign environmentally. They can in fact benefit the environment if a sponsor offers to implement the rails-to-trails program along the abandoned railroad ROW. Conversely, they could also be detrimental to the environment if existing train traffic would be rerouted to a congested line and therefore result in an air quality or noise impact on that line. NS and STB should ensure that this be avoided and should promote the rails-to-trails program by proper advertisement to potential private sponsors or federal sponsors such as the U.S. Fish and Wildlife Service.

EPA does not expect to continue individually commenting on NS (or other railroad company) abandonment proposals. Instead, this generic response can be used for STB purposes *unless* NS determines there is reason to believe that the abandonment proposal is unique and substantive environmental impact would result with abandonment. In such instance, NS should provide EPA with project-specific documentation for potential review and comment. In addition, all normal coordination with federal, state and local agencies should continue (e.g., endangered species, wetlands and hazardous material/waste areas within the ROW). We also expect that future abandonment proposals be responsive to past EPA comments (for reference, see enclosed *Example of A Typical Former EPA Response*).

It should be emphasized that this letter does *not* mean that EPA has no comment on all future abandonment proposals or that there are no environmental impacts. However, EPA at this time does not elect to comment on most abandonment proposals if they are similar to those received over the years. Although we reserve the right to comment on any or all proposals pursuant to Section 309 of the Clean Air. This letter also only pertains to EPA comments and not those of any other resource agency.

We appreciate your coordination with us. Should you have questions regarding this letter, you may wish to contact Chris Hoberg at 404/562-9619.

Sincerely,

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

Enclosure - *Example of A Typical Former EPA Response*

cc: Ms. Elaine Kaiser - STB: Washington, DC

EXAMPLE OF A TYPICAL FORMER EPA RESPONSE

November 25, 1996

4EAD/OEA-cmh

Ms. Elaine K. Kaiser, Chief
Section of Environmental Analysis
Surface Transportation Board
12th and Constitution Avenue, NW
Room 3219
Washington, DC 20423

**SUBJ: Environmental Report; Norfolk Southern Railway Company;
Proposed Discontinuance/Abandonment of 22.1 Miles of Rail
Line From MP 862.8 to MP 884.9; Berry to Belk, Alabama in
Fayette County**

Dear Ms. Kaiser:

The U.S. Environmental Protection Agency (EPA) has reviewed the Environmental Report (ER) for the above-referenced railroad discontinuance/abandonment project in Alabama, proposed by your Norfolk Southern Railway Company (NS) applicant. Given the preliminary nature of the ER dated May 2, 1996 (and cover letter to EPA dated October 16, 1996), we offer the preliminary comments presented below for consideration by the Surface Transportation Board (STB).

EPA offers the following preliminary comments on the ER:

► **ALTERNATIVES** - EPA recommends that the environmental impacts, if any, of non-abandonment alternatives be identified and briefly compared to the impacts of the proposed action. Specifically, any environmental impacts of not abandoning the line or discontinuing line service and retaining the trackage should be discussed and compared to the proposed line abandonment (future ERs should include such information).

► **IMPACTS** - Based on the report provided, it appears that the environmental impacts of the proposed 22.1-mile railway abandonment need not be substantive. However, the line crosses several waterways a total of 24 times and in-stream salvaging work is possible. In addition, there are some conclusional statements that we believe should be substantiated before any action is taken by the STB. We note, however, that this ER is

more responsive to EPA comments than in the past.

2

We offer the following comments:

■ Land Use (3.i) - We appreciate that the ER briefly characterized the land use of the project area (forests (85%), commercial businesses (5%), residential (10%)). Also relative to land use, will bisected forests, if any, be reunited due to the proposed abandonment? Will the rail line right-of-way (ROW) be maintained or allowed to naturally revegetate? Will any existing at-grade crossings be eliminated (if the proposed abandonment is implemented) which would improve transportation in terms of delays and accident potential?

■ Alternative Public Use (3.iv) - The ER indicates that NS does not have fee title to all of the rail line ROW proposed for abandonment and therefore does not have a contiguous corridor for potential future public use. For this reason and others, NS does not believe the line segment would be suitable for other public use.

Although NS does not own fee title to the ROW, we would nevertheless suggest that NS determine the fate of the ROW from its owner and include such information in the ER. Would the ROW simply revert to the surrounding land use, or would the corridor be sold to the private or public sector and for what land use?

■ Energy (4.i) - Although it basically follows from previous sections of the abandonment proposal, we suggest that the statement "[d]evelopment and transportation of energy resources will not be affected by the abandonment" be briefly substantiated in this section and in any future ERs. For example, the fact that rail line abandonment as opposed to construction is proposed could again be referenced here for clarity.

EPA appreciates the calculation of net change in energy consumption due to the modal change from diesel train to diesel trucks. The conclusion reached by the applicant was that a net decrease in diesel fuel gallons (3,985 vs. 5,896) would be used for a change to truck traffic. Intuitively, this seems incorrect. Considering that truck cargos (15 tons) would be considerably less than train cargos so that numerous truck trips would be needed to replace one train load. As such, it would seem that more fuel would be used for the truck option than for the train option.

This apparent inconsistency is presumably true, as the ER further indicates, to the current train configuration not

being efficient, so that train cargos are apparently undersized. We note that the ER states that "...if the railroad configured trains and trips for maximum efficiency,

3

pulpwood could be moving using approximately 43% of the estimated fuel used trucking pulpwood and using approximately 29% of the estimated current fuel usage."

■ Air (5.i, 5.ii) - We note that several air quality criteria would not be reached or exceeded by the proposed abandonment. We assume that these criteria are the STB air quality analysis thresholds frequently referred to but not generally provided in previous abandonment proposals reviewed by EPA (if so, we suggest that future ERs indicate that the listed criteria indeed are the STB air quality thresholds). We appreciate their inclusion in this ER.

If truck traffic is to replace the remaining rail traffic on the line to be abandoned, air quality could be locally impacted. Specifically, trucks could slow traffic which would involve traffic queuing (idling) or slow moving traffic, which would reduce local air quality. In addition, the additional vehicles would use diesel fuel rather than less polluting gasoline or alternate fuels (e.g., natural gas or electric). The local conditions of the preferred route(s) should be briefly characterized (ADT, traffic mix, intersections, etc.). Although we note that the ADT of the area would increase only less than 0.02%, we suggest that actual numbers be provided since percentages can be misleading. Overall air quality for the region, however, should improve if the ER analysis is accurate that less fuel would be used with trucks rather than rail in this case.

The ER states that: "Based on the foregoing discussion, increases in air emissions do not need to be quantified." This statement should be substantiated, i.e., what guidance is being employed here by the applicant?

It is also stated that "NS does not believe any Class I or non-attainment areas would be affected by the proposed abandonment." While we agree that abandonment projects would generally not affect non-attainment areas even if they existed in the project area (assuming the line no longer has rail traffic or does have inefficient rail traffic), the attainment status of the area of concern should preferably be verified in ERs (see annual 40 CFR Part 81, subject to updates, or contact the Air Division of EPA Region 4 at 404/562-9026). Any potential air quality effects should also be reasonably predicted in future ERs. As such, the ERs would be better stand-alone environmental documents prior to agency reviews.

EPA has verified that Fayette County in Alabama is in

attainment for all National Ambient Air Quality Standard (NAAQS) pollutants (including ozone), i.e., this county is not a non-attainment area for any NAAQS pollutants.

4

Therefore, it can be assumed that the salvaging process should not affect any non-attainment areas. The U.S. Department of the Interior (DOI) should be consulted for potential Class I area concerns.

■ **Noise (6)** - The ER does not list the referenced "established analysis thresholds" for noise. Their listing and a reference should be included in prospective future ERs for abandonment proposals (Note: This comment has also been made in previous EPA reviews of ERs, without inclusion or citation reference to the noise thresholds in subsequent ERs). How was it determined that these thresholds would not be exceeded?

While noise generated by the proposed action may not be substantive (especially when compared to noise from former and existing train usage of the track) or exceed the STB's noise thresholds, EPA does not agree that noise impacts from the proposed action (e.g., rail salvage) are "not applicable." Nevertheless, while the thresholds and other noise "guidelines" (such as city ordinances) may or may not be exceeded (or even exist) due to the proposed action, and sensitive residential receptors may or may not be far removed from the site (this should be determined in ERs), generation of temporary, above-ambient noise levels can be expected during rail salvage operations. What maximum/average noise levels would be expected from such an operation and how do these levels compare to the noise thresholds, other guidance or ordinances and existing railway noise?

■ **Hazardous Waste or Hazmat Spill Sites (7.iii)** - We note that "NS has no knowledge" of any hazardous waste spills or known spill sites along the ROW. What research and/or review was conducted to determine if any hazardous waste spills have occurred or sites exist along the ROW? Such substantiation should also be provided in any future applicant ERs on abandonment proposals. What procedures will be followed by NS if hazardous materials would be discovered during salvaging activities? Future ERs should already include such requested information.

■ **Biological Resources (8)**
Endangered Species/Critical Habitat (8.i) - The ER should provide a reasonable list of the federally-listed endangered species that range in the area, and if any are known to actually exist along or near the ROW. Also, what is the basis for the statement that "NS is not aware of any critical habitat which would be destroyed or modified as a

result of the proposed abandonment," i.e., what research or consultation was conducted to determine this? Future abandonment ERs should already provide substantiated

5

information on "critical habitat" (confirmation from the FWS is advised). EPA notes and supports the commitment that "NS is willing to undertake reasonable mitigating actions to protect any endangered species which might be encountered in connection with abandonment activities."

Sanctuaries, Refuges and Parks (8.ii) - It should be determined (with a documented source such as a USGS or recent aerial map, ground survey, or agency) if the line does or does not pass through any parks, forests, or wildlife sanctuaries (Note: Future ERs should already include such a determination and cite the information source). The appropriate resource agency (such as FWS) should then be consulted/copied for verification.

▪ **Water (9.i, 9.ii, 9.iii)** - The rail line crosses the North River, Kerrs Branch, Sipsey River and Bobo Creek at 24 locations. The ER indicates that the line roadbed is not proposed for appreciable removal or alteration, "no discernible effects on either wetlands or 100-year flood plains are expected," and "NS does not believe a 404 wetland permit will be required in connection with the proposed abandonment." However, because the report does indicate that some in-stream work is being contemplated (i.e., "at most, some bridge piles, posts, and piers may be removed down to stream bottom level..."), the U.S. Army Corps of Engineers (COE) should be consulted regarding any impacts to jurisdictional wetlands and potential 404 permitting requirements. Also, if jurisdictional wetlands exist along or near the ROW, placement of all construction staging areas should avoid such wetlands. The U.S. Coast Guard should be contacted relative to navigational obstructions during bridge removal (if waterway crossed are navigable).

Regarding permitting requirements under Section 402 of the Clean Water Act involving point source discharges to waters of the United States, EPA has authorized the State of Alabama to administer the storm water National Pollutant Discharge Elimination System (NPDES) Permit Program (with EPA program oversight being retained). Storm water NPDES permitting could apply if the abandonment activities involve soil disturbances (grading, movement, filling, etc.) of five or more acres of land, and if there are point source discharges from these areas into waters of the U.S. (creeks, lakes, rivers, jurisdictional wetlands, etc.). EPA encourages the applicant's further coordination with the State of Alabama or EPA/Region 4 (Mr. Roosevelt Childress: 404/562-9279) regarding water quality management and any

NPDES permitting requirements. Such coordination should precede completion of future ERs and be documented therein.

6

Regardless of wetland or NPDES permitting requirements, the potential for soil erosion exists during proposed salvaging of rails and ties and bridge structures. Soil erosion should be minimized through use of state construction Best Management Practices (BMPs). Will the areal extent of disturbed areas be kept to a minimum and limited to the ROW? Will access and staging areas be involved? Is mulching and grass re-seeding proposed for disturbed construction areas along the railbed? Will state construction BMPs be followed? Prospective ERs should already include such discussion.

■ **Proposed Mitigation (10)** - We note the commitment that "NS will undertake all reasonable mitigation associated with these activities [removal of rail, ties, and other railroad appurtenances] will be produced by the proposed action." EPA encourages mitigation of impacts in general, and specifically any compensation recommended by the various review/permitting agencies.

► **FUTURE ERs** - We have noted some modifications in this ER commensurate with typical EPA comments on previous ERs for NS abandonment proposals. We appreciate the responsiveness. However, modifications for several other EPA comments were not noticed. Future ERs should be further modified in response to EPA comments.

► **EPA MOVE** - As noted on our new letterhead, EPA Region 4 has moved to 100 Alabama Street in Atlanta, Georgia. The former Environmental Policy Section has been reorganized to the Office of Environmental Assessment in the Environmental Accountability Division.

EPA appreciates the opportunity to review the ER at this time. Per applicant cover letter request, we have provided a copy of these comments to NS. Should you have questions, feel free to contact Chris Hoberg of my staff at 404/562-9619, who will serve as the initial Agency point of contact.

Sincerely,

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

cc: Mr. Larry G. Western
Norfolk Southern Corporation

110 Franklin Road, SE
Roanoke, VA 24042-0013



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

ATTACHMENT # 2

June 20, 2001

Mr. Rory Mullenex
Marshall Miller and Associates
P.O. Box 848
Bluefield, VA 24605-0848

SUBJECT: EPA Region 4 Approach to Railroad Abandonment Proposals

Dear Mr. Mullenex:

As discussed today with Chris Hoberg of my staff, the U.S. Environmental Protection Agency (EPA) is providing for your reference copies of recent letters concerning proposed railroad abandonments. These letters to Mr. Larry Western and Mr. James Paschall of Norfolk Southern (NS) and their letter attachments indicate the approach EPA Region 4 is currently taking regarding routine, environmentally benign railroad abandonment proposals made by NS and other rail line companies. However, should a future proposal have an environmental concern, please feel free to contact Chris Hoberg at 404/562-9619.

EPA appreciates your concern and coordination with us.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Mueller".

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

Enclosure

June 13, 2000

4EAD-OEA

Mr. Larry G. Western
Norfolk Southern Corporation
110 Franklin Road, SE
Roanoke, VA 24042-0013

**SUBJ: EPA Generic Comments on Norfolk Southern Corporation (NS) Railroad
Abandonment Proposals**

Dear Mr. Western:

As you have discussed with Chris Hoberg of my staff, NS has provided the U.S. Environmental Protection Agency (EPA) with numerous railroad abandonment proposals over the years for our comment. NS apparently seeks EPA comment to satisfy Surface Transportation Board (STB) requirements.

EPA has provided many response letters to these proposals. Most of them were generic and quite similar. Although not without impacts, the proposed abandonments would terminate the use of a line section and are generally benign environmentally. They can in fact benefit the environment if a sponsor offers to implement the rails-to-trails program along the abandoned railroad ROW. Conversely, they could also be detrimental to the environment if existing train traffic would be rerouted to a congested line and therefore result in an air quality or noise impact on that line. NS and STB should ensure that this be avoided and should promote the rails-to-trails program by proper advertisement to potential private sponsors or federal sponsors such as the U.S. Fish and Wildlife Service.

EPA does not expect to continue individually commenting on NS (or other railroad company) abandonment proposals. Instead, this generic response can be used for STB purposes *unless* NS determines there is reason to believe that the abandonment proposal is unique and substantive environmental impact would result with abandonment. In such instance, NS should provide EPA with project-specific documentation for potential review and comment. In addition, all normal coordination with federal, state and local agencies should continue (e.g., endangered species, wetlands and hazardous material/waste areas within the ROW). We also expect that future abandonment proposals be responsive to past EPA comments (for reference, see enclosed *Example of A Typical Former EPA Response*).

It should be emphasized that this letter does *not* mean that EPA has no comment on all future abandonment proposals or that there are no environmental impacts. However, EPA at this time does not elect to comment on most abandonment proposals if they are similar to those received over the years. Although we reserve the right to comment on any or all proposals pursuant to Section 309 of the Clean Air. This letter also only pertains to EPA comments and not those of any other resource agency.

We appreciate your coordination with us. Should you have questions regarding this letter, you may wish to contact Chris Hoberg at 404/562-9619.

Sincerely,

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

Enclosure - Example of A Typical Former EPA Response

cc: Ms. Elaine Kaiser - STB: Washington, DC

EXAMPLE OF A TYPICAL FORMER EPA RESPONSE

November 25, 1996

4EAD/OEA-cmh

Ms. Elaine K. Kaiser, Chief
Section of Environmental Analysis
Surface Transportation Board
12th and Constitution Avenue, NW
Room 3219
Washington, DC 20423

**SUBJ: Environmental Report; Norfolk Southern Railway Company;
Proposed Discontinuance/Abandonment of 22.1 Miles of Rail
Line From MP 862.8 to MP 884.9; Berry to Belk, Alabama in
Fayette County**

Dear Ms. Kaiser:

The U.S. Environmental Protection Agency (EPA) has reviewed the Environmental Report (ER) for the above-referenced railroad discontinuance/abandonment project in Alabama, proposed by your Norfolk Southern Railway Company (NS) applicant. Given the preliminary nature of the ER dated May 2, 1996 (and cover letter to EPA dated October 16, 1996), we offer the preliminary comments presented below for consideration by the Surface Transportation Board (STB).

EPA offers the following preliminary comments on the ER:

► **ALTERNATIVES** - EPA recommends that the environmental impacts, if any, of non-abandonment alternatives be identified and briefly compared to the impacts of the proposed action. Specifically, any environmental impacts of not abandoning the line or discontinuing line service and retaining the trackage should be discussed and compared to the proposed line abandonment (future ERs should include such information).

► **IMPACTS** - Based on the report provided, it appears that the environmental impacts of the proposed 22.1-mile railway abandonment need not be substantive. However, the line crosses several waterways a total of 24 times and in-stream salvaging work is possible. In addition, there are some conclusional statements that we believe should be substantiated before any action is taken by the STB. We note, however, that this ER is

more responsive to EPA comments than in the past.

2

We offer the following comments:

■ Land Use (3.i) - We appreciate that the ER briefly characterized the land use of the project area (forests (85%), commercial businesses (5%), residential (10%)). Also relative to land use, will bisected forests, if any, be reunited due to the proposed abandonment? Will the rail line right-of-way (ROW) be maintained or allowed to naturally revegetate? Will any existing at-grade crossings be eliminated (if the proposed abandonment is implemented) which would improve transportation in terms of delays and accident potential?

■ Alternative Public Use (3.iv) - The ER indicates that NS does not have fee title to all of the rail line ROW proposed for abandonment and therefore does not have a contiguous corridor for potential future public use. For this reason and others, NS does not believe the line segment would be suitable for other public use.

Although NS does not own fee title to the ROW, we would nevertheless suggest that NS determine the fate of the ROW from its owner and include such information in the ER. Would the ROW simply revert to the surrounding land use, or would the corridor be sold to the private or public sector and for what land use?

■ Energy (4.i) - Although it basically follows from previous sections of the abandonment proposal, we suggest that the statement "[d]evelopment and transportation of energy resources will not be affected by the abandonment" be briefly substantiated in this section and in any future ERs. For example, the fact that rail line abandonment as opposed to construction is proposed could again be referenced here for clarity.

EPA appreciates the calculation of net change in energy consumption due to the modal change from diesel train to diesel trucks. The conclusion reached by the applicant was that a net decrease in diesel fuel gallons (3,985 vs. 5,896) would be used for a change to truck traffic. Intuitively, this seems incorrect. Considering that truck cargos (15 tons) would be considerably less than train cargos so that numerous truck trips would be needed to replace one train load. As such, it would seem that more fuel would be used for the truck option than for the train option.

This apparent inconsistency is presumably true, as the ER further indicates, to the current train configuration not

being efficient, so that train cargos are apparently undersized. We note that the ER states that "...if the railroad configured trains and trips for maximum efficiency,

3

pulpwood could be moving using approximately 43% of the estimated fuel used trucking pulpwood and using approximately 29% of the estimated current fuel usage."

■ Air (5.i, 5.ii) - We note that several air quality criteria would not be reached or exceeded by the proposed abandonment. We assume that these criteria are the STB air quality analysis thresholds frequently referred to but not generally provided in previous abandonment proposals reviewed by EPA (if so, we suggest that future ERs indicate that the listed criteria indeed are the STB air quality thresholds). We appreciate their inclusion in this ER.

If truck traffic is to replace the remaining rail traffic on the line to be abandoned, air quality could be locally impacted. Specifically, trucks could slow traffic which would involve traffic queuing (idling) or slow moving traffic, which would reduce local air quality. In addition, the additional vehicles would use diesel fuel rather than less polluting gasoline or alternate fuels (e.g., natural gas or electric). The local conditions of the preferred route(s) should be briefly characterized (ADT, traffic mix, intersections, etc.). Although we note that the ADT of the area would increase only less than 0.02%, we suggest that actual numbers be provided since percentages can be misleading. Overall air quality for the region, however, should improve if the ER analysis is accurate that less fuel would be used with trucks rather than rail in this case.

The ER states that: "Based on the foregoing discussion, increases in air emissions do not need to be quantified." This statement should be substantiated, i.e., what guidance is being employed here by the applicant?

It is also stated that "NS does not believe any Class I or non-attainment areas would be affected by the proposed abandonment." While we agree that abandonment projects would generally not affect non-attainment areas even if they existed in the project area (assuming the line no longer has rail traffic or does have inefficient rail traffic), the attainment status of the area of concern should preferably be verified in ERs (see annual 40 CFR Part 81, subject to updates, or contact the Air Division of EPA Region 4 at 404/562-9026). Any potential air quality effects should also be reasonably predicted in future ERs. As such, the ERs would be better stand-alone environmental documents prior to agency reviews.

EPA has verified that Fayette County in Alabama is in

attainment for all National Ambient Air Quality Standard (NAAQS) pollutants (including ozone), i.e., this county is not a non-attainment area for any NAAQS pollutants.

4

Therefore, it can be assumed that the salvaging process should not affect any non-attainment areas. The U.S. Department of the Interior (DOI) should be consulted for potential Class I area concerns.

■ **Noise (6)** - The ER does not list the referenced "established analysis thresholds" for noise. Their listing and a reference should be included in prospective future ERs for abandonment proposals (Note: This comment has also been made in previous EPA reviews of ERs, without inclusion or citation reference to the noise thresholds in subsequent ERs). How was it determined that these thresholds would not be exceeded?

While noise generated by the proposed action may not be substantive (especially when compared to noise from former and existing train usage of the track) or exceed the STB's noise thresholds, EPA does not agree that noise impacts from the proposed action (e.g., rail salvage) are "not applicable." Nevertheless, while the thresholds and other noise "guidelines" (such as city ordinances) may or may not be exceeded (or even exist) due to the proposed action, and sensitive residential receptors may or may not be far removed from the site (this should be determined in ERs), generation of temporary, above-ambient noise levels can be expected during rail salvage operations. What maximum/average noise levels would be expected from such an operation and how do these levels compare to the noise thresholds, other guidance or ordinances and existing railway noise?

■ **Hazardous Waste or Hazmat Spill Sites (7.iii)** - We note that "NS has no knowledge" of any hazardous waste spills or known spill sites along the ROW. What research and/or review was conducted to determine if any hazardous waste spills have occurred or sites exist along the ROW? Such substantiation should also be provided in any future applicant ERs on abandonment proposals. What procedures will be followed by NS if hazardous materials would be discovered during salvaging activities? Future ERs should already include such requested information.

■ **Biological Resources (8)**

Endangered Species/Critical Habitat (8.i) - The ER should provide a reasonable list of the federally-listed endangered species that range in the area, and if any are known to actually exist along or near the ROW. Also, what is the basis for the statement that "NS is not aware of any critical habitat which would be destroyed or modified as a

result of the proposed abandonment," i.e., what research or consultation was conducted to determine this? Future abandonment ERs should already provide substantiated

5

information on "critical habitat" (confirmation from the FWS is advised). EPA notes and supports the commitment that "NS is willing to undertake reasonable mitigating actions to protect any endangered species which might be encountered in connection with abandonment activities."

Sanctuaries, Refuges and Parks (8.ii) - It should be determined (with a documented source such as a USGS or recent aerial map, ground survey, or agency) if the line does or does not pass through any parks, forests, or wildlife sanctuaries (Note: Future ERs should already include such a determination and cite the information source). The appropriate resource agency (such as FWS) should then be consulted/copied for verification.

■ **Water (9.i, 9.ii, 9.iii)** - The rail line crosses the North River, Kerrs Branch, Sipsey River and Bobo Creek at 24 locations. The ER indicates that the line roadbed is not proposed for appreciable removal or alteration, "no discernible effects on either wetlands or 100-year flood plains are expected," and "NS does not believe a 404 wetland permit will be required in connection with the proposed abandonment." However, because the report does indicate that some in-stream work is being contemplated (i.e., "at most, some bridge piles, posts, and piers may be removed down to stream bottom level..."), the U.S. Army Corps of Engineers (COE) should be consulted regarding any impacts to jurisdictional wetlands and potential 404 permitting requirements. Also, if jurisdictional wetlands exist along or near the ROW, placement of all construction staging areas should avoid such wetlands. The U.S. Coast Guard should be contacted relative to navigational obstructions during bridge removal (if waterway crossed are navigable).

Regarding permitting requirements under Section 402 of the Clean Water Act involving point source discharges to waters of the United States, EPA has authorized the State of Alabama to administer the storm water National Pollutant Discharge Elimination System (NPDES) Permit Program (with EPA program oversight being retained). Storm water NPDES permitting could apply if the abandonment activities involve soil disturbances (grading, movement, filling, etc.) of five or more acres of land, and if there are point source discharges from these areas into waters of the U.S. (creeks, lakes, rivers, jurisdictional wetlands, etc.). EPA encourages the applicant's further coordination with the State of Alabama or EPA/Region 4 (Mr. Roosevelt Childress: 404/562-9279) regarding water quality management and any

NPDES permitting requirements. Such coordination should precede completion of future ERs and be documented therein.

6

Regardless of wetland or NPDES permitting requirements, the potential for soil erosion exists during proposed salvaging of rails and ties and bridge structures. Soil erosion should be minimized through use of state construction Best Management Practices (BMPs). Will the areal extent of disturbed areas be kept to a minimum and limited to the ROW? Will access and staging areas be involved? Is mulching and grass re-seeding proposed for disturbed construction areas along the railbed? Will state construction BMPs be followed? Prospective ERs should already include such discussion.

■ **Proposed Mitigation (10)** - We note the commitment that "NS will undertake all reasonable mitigation associated with these activities [removal of rail, ties, and other railroad appurtenances] will be produced by the proposed action." EPA encourages mitigation of impacts in general, and specifically any compensation recommended by the various review/permitting agencies.

► **FUTURE ERs** - We have noted some modifications in this ER commensurate with typical EPA comments on previous ERs for NS abandonment proposals. We appreciate the responsiveness. However, modifications for several other EPA comments were not noticed. Future ERs should be further modified in response to EPA comments.

► **EPA MOVE** - As noted on our new letterhead, EPA Region 4 has moved to 100 Alabama Street in Atlanta, Georgia. The former Environmental Policy Section has been reorganized to the Office of Environmental Assessment in the Environmental Accountability Division.

EPA appreciates the opportunity to review the ER at this time. Per applicant cover letter request, we have provided a copy of these comments to NS. Should you have questions, feel free to contact Chris Hoberg of my staff at 404/562-9619, who will serve as the initial Agency point of contact.

Sincerely,

Heinz J. Mueller, Chief
Office of Environmental Assessment
Environmental Accountability Division

cc: Mr. Larry G. Western
Norfolk Southern Corporation

110 Franklin Road, SE
Roanoke, VA 24042-0013



COMMONWEALTH of VIRGINIA

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

Department of Game and Inland Fisheries

June 12, 2001

William L. Woodfin, Jr.
Director

David Wilson
Marshall Miller & Associates
Bluefield Virginia Industrial Park
Po Box 848
Bluefield, VA 24605

ATTACHMENT # 3

RE: ESSLOG 14642; Multiple Proposed Line Abandonments

Dear Mr. Wilson:

This letter is in response to your request for information related to the presence of threatened or endangered species in the vicinity of the above referenced project.

Information about fish and wildlife species was generated from our agency's computerized Fish and Wildlife Information System, which describes animals that are known or may occur in a particular geographic area. Field surveys may be necessary to determine the presence or absence of some of these species on or near the proposed area. Also, additional sensitive animal species may be present, but their presence has not been documented in our information system.

Bluestone, West Virginia to Pocahontas, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*), and the state special concern species golden-winged warbler, (*Vermivora chrysoptera*). These species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classifications of "federal species of concern" and "state special concern species" are not legal designations and do not require coordination.

Arno Junction to Derby, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require coordination.

4010 WEST BROAD STREET, P.O. BOX 1104, RICHMOND, VA 23230-1104
(804) 367-1000 (V/TDD) Equal Opportunity Employer, Programs and Facilities FAX (804) 367-9147

Banner, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Russell Creek to Caledonia, Virginia

The *federally endangered* birdwing pearly mussel, (*Lemiox rimosus*), the *federally endangered* fine-rayed pigtoe mussel, (*Fusconaia cuneolus*), the *federally endangered* shiny pigtoe mussel, (*Fusconaia cor*), the *federal candidate* fluted kidneyshell mussel, (*Ptychobranchus subtentum*), the *state endangered* deertoed mussel, (*Truncilla truncata*), the *state threatened* elephant ear mussel, (*Elliptio crassidens*), the *state threatened* black sandshell mussel, (*Ligumia recta*), the *state threatened* fragile papershell mussel, (*Leptodea fragilis*) have been documented in the project area. The applicant must coordinate with this Department and with the U.S. Fish and Wildlife Service to evaluate potential impacts to these species.

The state special concern species sauger, (*Stizostedion canadense*), the state special concern species popeye shiner, (*Notropis ariommus*), the state special concern species Tennessee pigtoe mussel, (*Fusconaia barmesiana*), and the federal species of concern state special concern species elktoe mussel, (*Alasmindonta marginata*), have been documented in the project area. The classifications of "federal species of concern" and "state special concern species" are not legal designations and do not require further coordination.

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time.

Hurricane Junction to Hurricane Creek, Virginia

The state threatened black sandshell mussel, (*Ligumia recta*), has been documented in the project area. The applicant should coordinate with this Department to evaluate potential impacts to this species.

Long Spur Junction, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Oakwood to Mills, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Dwight to Spruce Pine, Virginia

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require further coordination.

A survey along a route passing in the vicinity of the project area has documented the presence of the state special concern species gold-winged warbler, (*Vermivora chrysoptera*), during the breeding season. This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "state special concern species" is not a legal designation and does not require further coordination.

Kopp, Virginia

There are currently no documented occurrences of threatened or endangered species in the project area.

Wyatt to Jewel Valley, Virginia

The state endangered variegate darter, (*Etheostoma variatum*), has been documented in the project area. The applicant should coordinate with this Department to evaluate potential impacts to this species.

A block survey of an area encompassing the project site documented the following species during the breeding season: the federal species of concern cerulean warbler, (*Dendroica cerulea*). This species may occur at the project site if appropriate habitat exists, but no coordination is necessary at this time. The classification of "federal species of concern" is not a legal designation and does not require further coordination.

Endangered plants and insects are under the jurisdiction of the Virginia Department of Agriculture and Consumer Services, Bureau of Plant Protection. Questions concerning sensitive

David Wilson
ESSLOG# 14642
June 12, 2001
Page 2

plant and insect species occurring at the project site should be directed to Keith Tignor at (804) 786-3515.

This letter summarizes the likelihood of the occurrence of endangered or threatened animal species at the project site. If you have additional questions in this regard, please contact me at (804) 367-2211. Please note that this response does not address any other environmental concerns; these issues are analyzed by our Environmental Services Section, in conjunction with interagency review of applications for state and federal permits. If you have any questions in this regard, please contact Ray Fernald or Tom Wilcox at (804) 367-8999.

There is a processing charge of \$50.00 for our response. Please remit a check, made payable to **TREASURER OF VIRGINIA**, within 30 days to MaryBeth Murr at the address listed on the first page. Include a copy of this letter with your payment to ensure that your account is properly credited.

The Fish and Wildlife Information Service, the system of databases used to provide the information in this letter, can now be accessed via the Internet! The Service currently provides access to current and comprehensive information about all of Virginia's fish and wildlife resources, including those listed as threatened, endangered, or special concern; colonial birds; waterfowl; trout streams; and all wildlife. Users can choose a geographic location and generate a report of species known or likely to occur around that point. From our main web page, at www.dgif.state.va.us, choose the hyperlink to "Wildlife Information Online". For more information, please contact Amy Martin, Online Service Coordinator, at (804) 367-2211.

Thank you for your interest in the wildlife resources of Virginia.

Sincerely,



Amy Martin
Online Services Coordinator

cc: R.T. Fernald, VDGIF
Karen Mayne, USFWS

**Virginia Department of Game and Inland Fisheries
Wildlife Diversity Division
Environmental Response Invoice**

Date of Response:	June 12, 2001	
EssLog Number:	14642	
Name of Respondent:	Amy Martin	
Name of Recipient:	David Wilson	
Company Affiliation:	Marshall Miller & Associates	
Company Address:	PO Box 848, Bluefield, VA 24605	
Recipient Phone #:	540-322-5467	
2	Total Hourly Charges:	\$50.00
	Total Map Charges:	\$ -
	Diskettes and Copying Charges:	\$ -
	Total Other Charges:	\$ -
	Total Due:	\$ 50.00

Please make checks payable to the **Treasurer of Virginia**.

Payment should be returned to:

Mary Beth Murr
Virginia Department of Game and Inland Fisheries
Wildlife Diversity Division
4010 West Broad Street
Richmond, VA 23230-1104

Questions concerning payment should be directed to the respondent above in the Fish and Wildlife Information Section at (804) 367-6913

Please include a copy of this invoice with payment to ensure proper crediting of your account.





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

June 18, 2001

Ms. Victoria J. Rutson
Acting Chief, Section of
Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ATTACHMENT # 4

Dear Ms. Rutson:

The area in question on the map that is part of an Environmental Report for the proposed abandonment of 6.4 miles of Norfolk Southern Corp. track from Milepost DC-16.6 to Milepost DC-23 (between Wyatt and Jewell Valley), in Buchanan County, Virginia, STB Docket No. Not Stated, has been reviewed within the scope of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, two geodetic station markers, 3 BC and L 330, have been identified that may be affected by the proposed abandonment; data sheets for these markers are enclosed. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days' notification in advance of such activities in order to plan for their relocation.

If further information is needed for these geodetic station markers, my address is NOAA, N/NGS2, Room 8813, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3191, fax: 301-713-4324, e-mail: Ed.McKay@noaa.gov.

Sincerely,

Edward J. McKay

Edward J. McKay
Chief, Spatial Reference
System Division

Enclosure

cc: ~~XXXXXXXXXX~~



The NGS Data Sheet

DATABASE = Sybase , PROGRAM = datasheet, VERSION = 6.48

1 National Geodetic Survey, Retrieval Date = JUNE 19, 2001

GX1954 *****

GX1954 DESIGNATION - 3 BC

GX1954 PID - GX1954

GX1954 STATE/COUNTY- VA/BUCHANAN

GX1954 USGS QUAD - JEWELL RIDGE (1977)

GX1954

GX1954 *CURRENT SURVEY CONTROL

GX1954*	NAD 83(1986)-	37 13 43.	(N)	081 48 42.	(W)	SCALED
GX1954*	NAVD 88	- 557.720	(meters)	1829.79	(feet)	ADJUSTED
GX1954	GEOID HEIGHT-	-30.87	(meters)			GEOID99
GX1954	DYNAMIC HT -	557.237	(meters)	1828.20	(feet)	COMP
GX1954	MODELED GRAV-	979,746.6	(mgal)			NAVD 88

GX1954 VERT ORDER - SECOND CLASS 0

GX1954

GX1954.The horizontal coordinates were scaled from a topographic map and have
GX1954.an estimated accuracy of +/- 6 seconds.

GX1954

GX1954.The orthometric height was determined by differential leveling
GX1954.and adjusted by the National Geodetic Survey in June 1991.

GX1954

GX1954.The geoid height was determined by GEOID99.

GX1954

GX1954.The dynamic height is computed by dividing the NAVD 88

GX1954.geopotential number by the normal gravity value computed on the

GX1954.Geodetic Reference System of 1980 (GRS 80) ellipsoid at 45

GX1954.degrees latitude (g = 980.6199 gals.).

GX1954

GX1954.The modeled gravity was interpolated from observed gravity values.

GX1954

	North	East	Units	Estimated Accuracy
GX1954; SPC VA S	- 1,104,510.	3,206,180.	MT	(+/- 180 meters Scaled)

GX1954

GX1954 SUPERSEDED SURVEY CONTROL

GX1954

GX1954	NGVD 29	- 557.868	(m)	1830.27	(f)	ADJ UNCH	2 0
--------	---------	-----------	-----	---------	-----	----------	-----

GX1954

GX1954.Superseded values are not recommended for survey control.

GX1954.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.

GX1954.See file dsdata.txt to determine how the superseded data were derived.

GX1954

GX1954_MARKER: DD = SURVEY DISK

GX1954_SETTING: 36 = BRIDGE

GX1954_STAMPING: B C 3 1946

GX1954_STABILITY: B = PROBABLY HOLD POSITION/ELEVATION WELL

GX1954

	Date	Condition	Report By
GX1954 HISTORY	- 1946	MONUMENTED	USGS
GX1954 HISTORY	- 1958	GOOD	NGS

GX1954

GX1954

GX1954

GX1954 STATION DESCRIPTION

GX1954

GX1954'DESCRIBED BY NATIONAL GEODETIC SURVEY 1958

GX1954'4.6 MI SE FROM WHITEWOOD.

GX1954'4.65 MILES SOUTHEAST ALONG BLACK TOP ROAD 638 FROM THE HIGH
GX1954'SCHOOL AT WHITEWOOD, AT THE CONFLUENCE OF DISMAL CREEK AND SENG
GX1954'CAMP FORK, ABOUT 50 YARDS SOUTHEAST OF JEWELL VALLEY SCHOOL, 0.1
GX1954'MILE SOUTH OF THE JUNCTION OF BLACK TOP ROAD 636, IN TOP AND
GX1954'NORTHEAST END OF THE NORTH HEAD WALL OF A 20-FOOT NORFOLK AND
GX1954'WESTERN RAILWAY BRIDGE OVER THE MOUTH OF SENG CAMP FORK, 9 1/2
GX1954'FEET NORTH OF THE NORTH RAIL, 95 FEET WEST OF THE CENTER OF THE
GX1954'CROSSING OF THE RAILWAY AND A ROAD ALONG SENG CAMP FORK, AND
GX1954'ABOUT LEVEL WITH THE ROAD.

*** retrieval complete.

Elapsed Time = 00:00:02

The NGS Data Sheet

DATABASE = Sybase ,PROGRAM = datasheet, VERSION = 6.48

1 National Geodetic Survey, Retrieval Date = JUNE 19, 2001

GX1960 *****

GX1960 DESIGNATION - L 330
 GX1960 PID - GX1960
 GX1960 STATE/COUNTY- VA/BUCHANAN
 GX1960 USGS QUAD - JEWELL RIDGE (1977)

GX1960
 GX1960 *CURRENT SURVEY CONTROL
 GX1960

GX1960*	NAD 83(1986)-	37 14 00.	(N)	081 51 46.	(W)	SCALED
GX1960*	NAVD 88	-	513.116	(meters)	1683.45	(feet) ADJUSTED
GX1960	GEOID HEIGHT-	-30.91	(meters)			GEOID99
GX1960	DYNAMIC HT -	512.679	(meters)	1682.01	(feet)	COMP
GX1960	MODELED GRAV-	979,763.4	(mgal)			NAVD 88

GX1960
 GX1960 VERT ORDER - SECOND CLASS 0
 GX1960

GX1960.The horizontal coordinates were scaled from a topographic map and have
 GX1960.an estimated accuracy of +/- 6 seconds.

GX1960
 GX1960.The orthometric height was determined by differential leveling
 GX1960.and adjusted by the National Geodetic Survey in June 1991.

GX1960
 GX1960.The geoid height was determined by GEOID99.
 GX1960

GX1960.The dynamic height is computed by dividing the NAVD 88
 GX1960.geopotential number by the normal gravity value computed on the
 GX1960.Geodetic Reference System of 1980 (GRS 80) ellipsoid at 45
 GX1960.degrees latitude (g = 980.6199 gals.).

GX1960
 GX1960.The modeled gravity was interpolated from observed gravity values.
 GX1960

	North	East	Units	Estimated Accuracy
GX1960; SPC VA S	- 1,105,190.	3,201,670.	MT	(+/- 180 meters Scaled)

GX1960
 GX1960 SUPERSEDED SURVEY CONTROL

GX1960	NGVD 29	-	513.278	(m)	1683.98	(f) ADJ UNCH	2 0
--------	---------	---	---------	-----	---------	--------------	-----

GX1960
 GX1960.Superseded values are not recommended for survey control.
 GX1960.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.
 GX1960.See file dsdata.txt to determine how the superseded data were derived.

GX1960
 GX1960 MARKER: DB = BENCH MARK DISK
 GX1960 SETTING: 36 = ABUTMENT
 GX1960 STAMPING: L 330 1058
 GX1960 STABILITY: B = PROBABLY HOLD POSITION/ELEVATION WELL

	HISTORY	- Date	Condition	Report By
GX1960	HISTORY	- UNK	MONUMENTED	CGS
GX1960	HISTORY	- 1958	GOOD	NGS

GX1960
 GX1960 STATION DESCRIPTION

GX1960'DESCRIBED BY NATIONAL GEODETIC SURVEY 1958
 GX1960'0.8 MI SE FROM WHITEWOOD.

GX1960'0.75 MILE SOUTHEAST ALONG BLACK TOP ROAD 638 FROM THE HIGH SCHOOL
GX1960'AT WHITEWOOD, THENCE 0.1 MILE SOUTH ALONG A ROAD FOLLOWING
GX1960'LAUREL FORK, 42 FEET EAST OF THE CENTER OF THE CROSSING OF THE
GX1960'NORFOLK AND WESTERN RAILWAY AND A GRAVEL ROAD LEADING SOUTH ALONG
GX1960'LAUREL FORK, 7 FEET NORTH OF THE NORTH RAIL, IN TOP OF THE NORTH
GX1960'END OF THE WEST CONCRETE ABUTMENT OF RAILWAY BRIDGE 2532, AND
GX1960'ABOUT LEVEL WITH THE TRACK.

*** retrieval complete.
Elapsed Time = 00:00:01



U.S. Army Corps of Engineers
Norfolk District, Western Virginia Regulatory Section
Clinch Valley Regulatory Office
POB 338
Abingdon, Virginia 24212-0338

June 22, 2001

ATTACHMENT # 5

Project Number: 01-K0066

Waterway: None Listed

1. Participant:

Norfolk Southern Corporation
Attn: Larry Western
Environmental Protection
110 Franklin Road, S. E.
Roanoke, Virginia 24042-0013

2. Authorized Agent:

Marshall Miller and Associates
POB 848
Bluefield, Virginia 24605-0848

3. Address of Job Site:

Between milepost DC-16.6 and Milepost DC-23
From Wyatt to Jewell Valley, VA

4. Project Description:

Rail abandonment of 6.4 miles of rail

Notification indicates there will be no instream work, no dredge or fill operations associated with the proposed abandonment.

5. Findings

This is in reference to your application for a Department of the Army permit to perform the work as described in part 4 above.

The proposed work does not fall within the Corps of Engineers' jurisdiction. No permit will be required from this office. Please note that you should obtain all required State and local authorizations before you proceed with the project.

CC:

Surface Transportation Board
SEA, Room 3219
1925 K Street, NW
Washington, DC 20423

6. Corps Contact: Annette Poore (540) 623-5259

(for) Annette Poore
Bruce F. Williams
Acting Chief, Western Virginia Regulatory Section

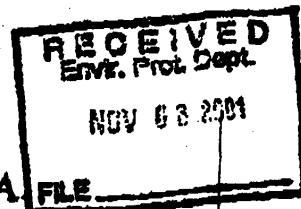
AO FL 13 REVISED DEC 90

FROM : GRADE CROSSING SAFETY

PHONE NO. : 54092215069

Nov. 13 2001 10:55AM P3

ATTACHMENT # 6

RECEIVED
HMT**COMMONWEALTH of VIRGINIA****DEPARTMENT OF ENVIRONMENTAL QUALITY**James S. Gilmore, III
GovernorStreet Address: 355 Deadmora Street, Abingdon, Virginia 24210
Mailing Address: P. O. Box 1688, Abingdon, Virginia 24212
Fax (540) 676-4889
<http://www.deq.state.va.us>John Paul Woodley, Jr.
Secretary of Natural ResourcesDonnis L. Tinsley
DirectorMichael D. Overstreet
Regional Director
(340) 676-4800

November 6, 2001

LEW
K. R. Miller, Director Environmental Operations
Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S. E.
Roanoke, Virginia 24042-0013

Re: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of
Rail Line Located Between Milepost DC-16.6 and DC -23 from Wyatt to Jewell Valley,
Virginia

Dear K. R. Miller:

The Southwest Regional Office of the Department of Environmental Quality received your Environmental Report describing the proposed action and environmental impacts associated with abandoning rail lines in Buchanan County, Virginia. The staff concurs with your assessment that there will be no environmental impacts to water and air with the proposed action. We have no further comments on the project.

Thank you for allowing us an opportunity to comment. If you have questions you may contact Nancy T. Norton, P. E. at (276) 676-4807 at our office.

Sincerely,

Allen J. Newman, P. E.
Water Permit ManagerCc: DEQ-EIR
File*An Agency of the Natural Resources Secretariat*

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural
Resources

ATTACHMENT # **7**

David G. Brickley
Director

COMMONWEALTH of VIRGINIA**DEPARTMENT OF CONSERVATION AND RECREATION**

217 Governor Street, 3rd Floor

TDD (804) 786-2121

Richmond, Virginia 23219

(804) 786-7951

FAX (804) 371-2674

<http://www.state.va.us/~dcr/vaher.html>

April 30, 2001

Mr. David Wilson
Program Manager
Marshall Miller & Associates
Bluefield Virginia Industrial Park
P.O. Box 848
Bluefield, VA 24605

Re: Proposed Abandonments of Railway Segments (Long Spur Jct, Oakwood, Dwight, Knopp, Wyatt, Pocahontas, Hurricane Jct., Russell Creek, Banner and Arno Jct.)

Dear Mr. Wilson:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Oakwood, Banner, Long Spur Jct, Knopp, Dwight,

According to the information currently in our files, natural heritage resources have not been documented in the project area. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Arno Jct.

BCD documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Russell Creek and Hurricane Jct.

According to the information currently in our files, natural heritage resources have been documented downstream of the proposed railway segments. To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of

and strict adherence to erosion and sediment control measures during all land disturbing activities.

Wyatt

According to information currently in our files, Jointed Rush (*Juncus articulatus*, G5/S1S2/NF/NS) has been documented in the project.

Pocahontas

According to the information currently in our files, the green floater (*Lamigoria subviridis*, G3/S2/NF/SC) has been documented downstream of the project. The green floater, a rare freshwater mussel, ranges from New York to North Carolina in the Atlantic Slope drainages, as well as the New and Kanawha River systems in Virginia and West Virginia. Throughout its range, the green floater appears to prefer the pools and eddies with gravelly and sandy bottoms of smaller rivers and creeks or of smaller channels of large rivers (Ortman, 1919). According to Riddick (1973), in central Virginia, the green floater prefers habitats with gravel or sand bottoms in small to medium-sized streams. Green floaters are small, usually reaching a length less than 55mm. The color on the shell varies from pale yellow to brownish green. There may be numerous narrow or wide green or blackish rays on the shell surface, mostly on juveniles (Kitchel, 1991). Please note that this species is currently classified as a special concern species by the Virginia Department of Game and Inland Fisheries (VDGIF); however, this designation has no official legal status.

Considered good indicators of the health of aquatic ecosystems, freshwater mussels are dependent on good water quality, good physical habitat conditions, and an environment that will support populations of host fish species (Williams et al., 1993). Because mussels are sedentary organisms, they are sensitive to water quality degradation related to increased sedimentation and pollution. They are also sensitive to habitat destruction through dam construction, channelization, and dredging, and the invasion of exotic mollusk species.

Under the Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Department of Conservation and Recreation (DCR), DCR has the authority to report for VDACS on state-listed plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to BCD. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$70.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 203 Governor Street, Suite 402, Richmond, VA 23219, ATTN: Cashier. Payment is due within thirty days of the invoice date.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

 for Rene Hypes
S. Rene Hypes
Project Review Coordinator

cc: Ray Fernald, VDGIF

Literature Cited

Kitchel, L. 1991. Green Floater. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia.

Ortman, A.E. 1919. A monograph of the naiades of Pennsylvania, Part 3: Systematic account of the genera and species. Mem. Carnegie Mus. 8:1-384.

Riddick, M.B. 1973. Freshwater mussels of the Pamunkey River system, Virginia. M.S. Thesis, Virginia Commonwealth University, Richmond, VA 105pp.

Williams, J.D., M.L. Warren, Jr., K.S. Cummings, J.L. Harris, and R.J. Neves. 1993. Conservation status of freshwater mussels of the United States and Canada. Fisheries 18: 6-9.



United States Department of the Interior

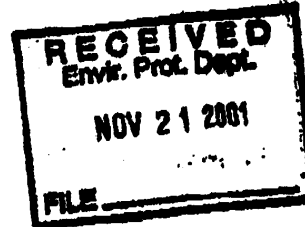
FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061

November 19, 2001



Mr. K. R. Miller
Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 23502

ATTACHMENT # 8

Re: Proposed Abandonment of 6.4 miles
Rail Line from Wyatt to Jewell
Valley, Virginia,
Buchanan County, Virginia

Dear Mr. Miller:

The U.S. Fish and Wildlife Service has reviewed your October 26, 2001 request for information on federally listed species for the referenced project. This letter is submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Norfolk Southern proposes to abandon 6.4 miles of rail line located between milepost DC-16.6 and milepost DC-23, from Wyatt, Virginia to Jewell Valley, Virginia. The proposed abandonment includes neither removing rail nor conducting salvage operations. Based on the project description and location, it appears that this project is not likely to adversely affect any federally listed or proposed species or their designated critical habitat.

If you have any questions or need further assistance concerning this project, contact Mr. Eric Davis at (804) 693-6694, extension 104.

Sincerely,

Karen L. Mayne
Supervisor
Virginia Field Office



United States Department of the Interior

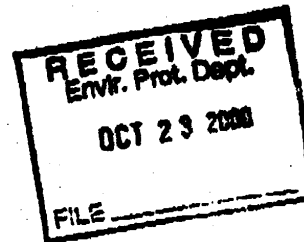
FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, Virginia 23061

October 16, 2000



Mr. Larry G. Western
Norfolk Southern Corporation
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013



Greetings:

The U.S. Fish and Wildlife Service has received your request to review the attached project for potential impacts to federally listed or proposed endangered and threatened species and designated critical habitat in Virginia pursuant to the Endangered Species Act (R7 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Attached are lists of species with federal status and species of concern that have been documented or may occur in the county(s) where your project is located. These lists were prepared by this office and are based on information obtained from previous surveys for rare and undangered species.

Due to the limited staff in this office, we are unable to review projects in a timely manner. Therefore, we request that you send the attached project to the following state agencies for review:

Plant Protection
Virginia Department of Agriculture and Consumer Services
P.O. Box 1163
Richmond, VA 23218
(804) 786-3515

Virginia Department of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230
(804) 367-1000

Virginia Department of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, VA 23219
(804) 786-7951

KEY

LE - federally listed endangered.

LT - federally listed threatened.

PE - federally proposed endangered.

PT - federally proposed threatened.

EX - believed to be extirpated in Virginia.

LE(S/A) - federally listed endangered due to similarity of appearance to a federally listed species.

LT(S/A) - federally listed threatened due to similarity of appearance to a federally listed species.

C - candidate species; the U.S. Fish and Wildlife Service has enough information to list the species as threatened or endangered, but this action is precluded by other listing activities.

SOC - species of concern; those species that have been identified as potentially imperiled or vulnerable throughout their range or a portion of their range. These species are not protected under the Endangered Species Act.

C2 - former U.S. Fish and Wildlife Service category 2 candidate species.

G - global rank; the species rarity throughout its total range.

G1 - extremely rare and critically imperiled with 5 or fewer occurrences or very few remaining individuals; or because of some factor(s) making it especially vulnerable to extinction.

G2 - very rare and imperiled with 6 to 20 occurrences or few remaining individuals; or because of some factor(s) making it vulnerable to extinction.

G3 - either very rare and local throughout its range or found locally (abundantly at some of its locations) in a restricted range; or vulnerable to extinction because of other factors. Usually fewer than 100 occurrences are documented.

G_T_ - signifies the rank of a subspecies or variety. For example, a GST1 would apply to a subspecies of a species that is demonstrably secure globally (G5) but the subspecies warrants a rank of T1, critically imperiled.

G_Q - The taxon has a questionable taxonomic assignment.

BUCHANAN COUNTY, VIRGINIA
Federally Listed, Proposed, and Candidate Species

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<u>MAMMALS</u>		
<i>Myotis sodalis</i> ¹	Indiana bat	I.E
<u>VASCULAR PLANTS</u>		
<i>Spiraea virginiana</i> ¹	Virginia spiraea	LT

Species of Concern

<u>INVERTEBRATES</u>		
<i>Paravittrea mira</i>	Funnel supercoil	G2
<i>Speyeria diana</i>	Diana fritillary	G3
<i>Speyeria idalia</i>	Regal fritillary	G3
<u>VASCULAR PLANTS</u>		
<i>Saxifraga careyana</i>	Carey saxifrage	G3

¹This species has been documented in an adjacent county and may occur in this county.

March 22, 1999

Prepared by U.S. Fish and Wildlife Service, Virginia Field Office

Mr. Larry G. Western

2

It is recommended that all of the agencies named above review the project because each maintains a different database and has differing expertise and/or regulatory responsibility.

IF ANY OF THESE AGENCIES DETERMINES THAT YOUR PROJECT MAY IMPACT A FEDERALLY LISTED, PROPOSED, OR CANDIDATE SPECIES OR CRITICAL HABITAT, PLEASE CONTACT THIS OFFICE; OTHERWISE, FURTHER CONTACT WITH THIS OFFICE IS NOT NECESSARY.

If you have any questions or need further assistance, please contact Eric Davis of this office at (804) 693-6694, extension 104.

Sincerely,

Karen L. Mayne

Karen L. Mayne
Supervisor
Virginia Field Office

Enclosures

Indiana Bat

Myotis sodalis



Description - The Indiana bat occurs throughout 27 states in the eastern and midwestern U.S. It is found in the western portion of Virginia during hibernation, but seldom found in Virginia during the summer. This medium-sized, short-eared bat is two inches from head to toe and has a wing span of two inches. Its fur is dull grayish-brown and the underparts are pinkish.

Life History - After mating in the fall, the Indiana bat travels up to 300 miles to hibernate in large caves and abandoned mines that have stable, cold temperatures during the winter. The fact that the Indiana bats congregate and form large aggregations in only a small percentage of known caves suggests that very few caves meet their requirements. During hibernation they can be found on flat ceilings of caves in clusters containing 500 to 1,000 or more bats. Half of all hibernating Indiana bats winter in Indiana. Hibernation begins in mid-October and ends in April; females are the first to leave. Males roost in caves or mines during the summer.



U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694
<http://www.fws.gov>
August 1999

Maternity colonies are located in riparian forests along streams. Females roost together in hollow trees or under loose bark and have one young per pregnancy. The young are born in late June or early July. After one month, young are capable of flight and begin independent feeding. Foraging takes place along forested streams. They feed exclusively on insects.

Conservation - The Indiana bat was federally listed as an endangered species on March 11, 1967. This bat has declined primarily due to human disturbance during hibernation. This species is easily disturbed by human activity such as vandalism, caving, and research during the hibernating months. Other threats are flooding of caves, blockage of cave entrances, and pesticide poisoning.

What You Can Do To Help - Avoid using pesticides and other chemicals near caves and waterways. Do not enter gated caves or mines. These gates have been installed to protect bats and human safety. Cave habitats are fragile and easily disturbed; if you must enter a cave, do so only as an observer and leave everything as you found it. Never shoot, poison, or otherwise harm bats. Bats are extremely beneficial insect eaters, and nuisance bats can be encouraged to move elsewhere. If you find a bat, please do not disturb it!

Contact one of the following agencies for assistance:

Virginia Department of Game and Inland Fisheries
P.O. Box 11104
Richmond, Virginia 23230
(804) 367-1000

Virginia Department of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, Virginia 23219
(804) 786-7951

U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694

References

Dalton, V.M. and C.O. Handley, Jr. 1991. Social myotis. Pages 569-570 in K.Terwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

U.S. Fish and Wildlife Service. 1999. Agency Draft: revised draft of the recovery plan for the Indiana bat (*Myotis sodalis*). Fort Snelling, Minnesota.

U.S. Fish & Wildlife Service

Virginia Spiraea

Spiraea virginiana



USFWS

Description - The Virginia spiraea is found in the Appalachian Plateaus or the southern Blue Ridge Mountains in Alabama, Ohio, West Virginia, Virginia, Tennessee, North Carolina, Kentucky, and Georgia. It no longer occurs in Pennsylvania. This plant was first discovered in Virginia in 1985. Most of the existing populations consist of only a few clumps. Mature plants reach a height of three to ten feet. Young stems are greenish-yellow to dark brown and mature stems are dark gray. The roots form a complex system. The creamy white flowers are in tightly packed bunches.

Life History - Virginia spiraea is found along scoured banks of high gradient streams or on meander scrolls, point bars, natural levees, and braided features of lower stream reaches. Soils are sandy, silty, or clay and elevation range is 1000-2400 feet. If the roots are exposed, they will give rise to upright stems. Seed production is sporadic and seedlings have never been documented in the wild. Sexual reproduction is rare indicating the

genetic variability within and probably between stream occurrences is low. Few mature seeds and no seedlings have been observed. Little population expansion has been reported. Late summer and fall flower bunches often dry and persist during the winter, making field identification possible.

Fragmentation by erosion or scour and subsequent downstream travel may be the most important means of dispersal for this species. The most important factor in maintaining this plant seems to be removal of woody competition by erosion. Scour must be sufficient to remove woody trees and vines without washing out the horizontal root.

Conservation - The Virginia spiraea was federally listed as a threatened species on July 16, 1990.

Impoundments are a threat to this species because they inundate habitat and stabilize downstream water flow. Other threats include road maintenance, beaver damage, off-road vehicle use, deer browse, non-native plant species, chemical spills, and pollution. Random events are so significant in the life cycle of this species that a list of additional threats would be lengthy and specifically associated with a particular part of the life cycle.

What You Can Do To Help - If you find a plant that appears to be the Virginia spiraea, take note of the location and photograph the plant, if possible. Please do not remove the plant!

Contact one of the following agencies for assistance:

Virginia Department of Agriculture
and Consumer Services
Office of Plant Protection
P.O. Box 1163
Richmond, Virginia 23209
(804) 786-3515

Virginia Department of
Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 3rd Floor
Richmond, Virginia 23219
(804) 786-7951

U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694

References

Ogle, D. 1991. Virginia spiraea. Pages 117-119 in K. Tarwilliger, ed. Virginia's Endangered Species, Proceedings of a Symposium. McDonald and Woodward Publishing Company, Blacksburg, Virginia.

U.S. Fish and Wildlife Service. 1992. Virginia spiraea (*Spiraea virginiana* Britton) recovery plan. Newton Corner, Massachusetts.



U.S. Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, Virginia 23061
(804) 693-6694
<http://www.fws.gov>
August 1999

ATTACHMENT 9

Western, Larry G.

From: Jess Powers [jess.powers@mma1.com]
Sent: Wednesday, September 11, 2002 5:35 PM
To: lgwester@nscorp.com
Cc: David Boram; Scott Denson; Sally Südderth
Subject: Proposed Abandonment Wyatt to Jewell Valley

Hello Larry,

I called Cindy Szmanski, (202) 354-6912, at the National Park Service and received her voice mail that stated she would be out of the office until September 9, 2002, today is September 11, 2002. I left her a message in regards to the rail line proposed abandonment for Wyatt to Jewell Valley, in Buchanan County, Virginia, and requested her to return my call.

I called Lilly Richards, (804) 367-2323 extension 140, at the National Park Service and received her voice mail that stated she would be out of the office for a meeting today, September 11, 2002. I left her a message in regards to the rail line proposed abandonment for Wyatt to Jewell Ridge, in Buchanan County, Virginia, and requested her to return my call.

No response was received from either of these contacts regarding the proposed abandonment by 5:00 p.m., today. Please let me know if you need any additional information or have any questions. Thanks.

Jess

Western, Larry G.

From: Scott Denson [scott.denson@mma1.com]
Sent: Thursday, September 12, 2002 3:31 PM
To: L G Western
Cc: Jess Powers
Subject: RLA - Wyatt to Jewell Valley- Phone Record

Dear Mr. Western,

Attempted to contact two individuals on NSRC's behalf in reference to the Environmental Report for Proposed Rail Line Abandonment - Wyatt to Jewell Valley MP DC-16.6 to MP DC- 23.0. Below is the phone record:

9/12/02

Cindy Szmanski - National Parks Service

9:30 AM - Called, voice mail stated she was out of the office and would be back on 9/9/02. Left Message.

10:45 - Called no answer

11:30 - Called no answer

1:30 PM - Called. No answer. Got through to an operator asked to speak with someone in Ms. Szmanski's office. Spoke with Audrey Haskins. I asked where Ms. Szmanski was. Ms. Haskins said she was out on travel. She expected her back tomorrow and asked if I wanted to leave a message. I said no thanks I already had.

9/12/02

Lilly Richards VA Department of Historic Resources

9:40 AM - Called, Ms. Richards. No answer, left message.

10:50 - Called no answer

11:40 - Called no answer

3:00 PM - Called asked operator if she was in today. She said yes. I asked if I could speak with her. She said she wasn't currently in her office and didn't know when she would be in. Left an additional voice mail.

Marshall Miller & Associates
www.mma1.com <<http://www.mma1.com>>
Scott Denson
Project Scientist
276-322-5467
scott.denson@mma1.com <<mailto:scott.denson@mma1.com>>

Western, Larry G.

From: Jess Powers [jess.powers@mma1.com]
Sent: Wednesday, September 11, 2002 5:35 PM
To: lgwestern@niscorp.com
Cc: David Boram; Scott Denson; Sally Sudderth
Subject: Proposed Abandonment Wyatt to Jewett Valley

Hello Larry,

I called Cindy Szmiński, (202) 354-8912, at the National Park Service and received her voice mail that stated she would be out of the office until September 9, 2002, today is September 11, 2002. I left her a message in regards to the rail line proposed abandonment for Wyatt to Jewett Valley, in Buchanan County, Virginia, and requested her to return my call.

I called Lilly Richards, (804) 367-2323 extension 140, at the National Park Service and received her voice mail that stated she would be out of the office for a meeting today, September 11, 2002. I left her a message in regards to the rail line proposed abandonment for Wyatt to Jewett Ridge, in Buchanan County, Virginia, and requested her to return my call.

No response was received from either of these contacts regarding the proposed abandonment by 5:00 p.m., today. Please let me know if you need any additional information or have any questions. Thanks.

Jess

Western, Larry G.

From: Scott Denson [scott.denson@mma1.com]
Sent: Thursday, September 12, 2002 3:31 PM
To: L G Western
Cc: Jess Powers
Subject: RLA - Wyatt to Jewell Valley- Phone Record

Dear Mr. Western,

Attempted to contact two individuals on NSRC's behalf in reference to the Environmental Report for Proposed Rail Line Abandonment - Wyatt to Jewell Valley MP DC-16.6 to MP DC- 23.0. Below is the phone record:

9/12/02

Cindy Szmanski - National Parks Service

9:30 AM - Called, voice mail stated she was out of the office and would be back on 9/9/02. Left Message.

10:45 - Called no answer

11:30 - Called no answer

1:30 PM - Called. No answer. Got through to an operator asked to speak with someone in Ms. Szmanski's office. Spoke with Audrey Haskins. I asked where Ms. Szmanski was. Ms. Haskins said she was out on travel. She expected her back tomorrow and asked if I wanted to leave a message. I said no thanks I already had.

9/12/02

Lilly Richards VA Department of Historic Resources

9:40 AM - Called, Ms . Richards. No answer, left message.

10:50 - Called no answer

11:40 - Called no answer

3:00 PM - Called asked operator if she was in today. She said yes. I asked if I could speak with her. She said she wasn't currently in her office and didn't know when she would be in. Left an additional voice mail.

Marshall Miller & Associates
www.mma1.com <<http://www.mma1.com>>
Scott Denson
Project Scientist
276-322-5467
scott.denson@mma1.com <<mailto:scott.denson@mma1.com>>



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. William Caudill
Buchanan County Administrator
P.O. Box 950
Grundy VA 24614

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Caudill:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Glenn F. Graham, District Conservationist
Natural Resources Conservation Service
Route 2 Box B
Clintwood, VA 24228-6903

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia.

Dear Mr. Graham:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Joe Wentz, District Conservationist
Natural Resources Conservation Service
383 Highland Dr., Suite 7
Lebanon Virginia 24266

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia.

Dear Mr. Wentz:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVIet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Michael Overstreet, Director
Virginia Department of Environmental Quality
P.O. Box 1688
Abingdon, VA 24212-1668

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Overstreet:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Bob Runowski
United States Environmental Protection Agency
EPAS (3ES43)
841 Chestnut Street
Philadelphia, PA 19107

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Runowski:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Ms. Karen Moore
United States Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Ms. Moore:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Ms. Annette Poore
United States Corps of Engineers
P.O. Box 338
Abingdon, VA 24212-1668

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Ms. Poore:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Samuel Stokes
National Park Service
P.O. Box 37127
Washington DC 20013-7127

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Stokes:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. R. Miller'.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Edward J. McKay, Chief Spatial Reference
National Geodetic Survey
1315 East Highway
Silver Spring MD 20910

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. McKay:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Mr. Chris Collins
Virginia Department of Transportation
1401 East Broad Street
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Collins:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Ms. Mary Beth Murr
Virginia Department of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Ms. Murr:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in dark ink, appearing to read 'K. R. Miller', written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYIVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

To Whom It May Concern:
Virginia Department of Historic Resources
2810 Kensington Street
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Sir or Madam:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

October 26, 2001
1-9-5-4

Ms. Rene Hypes
Virginia Department of Conservation and Recreation
217 Governor Street, 3rd Floor
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Ms. Hypes:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. This represents Norfolk Southern's second submittal to your organization for consideration and to solicit comments.

We are providing this report a second time so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect or inaccurate, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. William Caudill
Buchanan County Administrator
P.O. Box 950
Grundy VA 24614

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Caudill:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Glenn F. Graham, District Conservationist
Natural Resources Conservation Service
Route 2 Box B
Clintwood, VA 24228-6903

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia.

Dear Mr. Graham:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Joe Wentz, District Conservationist
Natural Resources Conservation Service
383 Highland Dr., Suite 7
Lebanon Virginia 24266

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia.

Dear Mr. Wentz:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Michael Overstreet, Director
Virginia Department of Environmental Quality
P.O. Box 1688
Abingdon, VA 24212-1668

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Mr. Overstreet:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Bob Runowski
United States Environmental Protection Agency
EPAS (3ES43)
841 Chestnut Street
Philadelphia, PA 19107

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. Runowski:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Ms. Karen Moore
United States Fish and Wildlife Service
6669 Short Lane
Gloucester, VA 23061

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Ms. Moore:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVIet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Ms. Annette Poore
United States Corps of Engineers
P.O. Box 338
Abingdon, VA 24212-1668

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Ms. Poore:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Samuel Stokes
National Park Service
P.O. Box 37127
Washington DC 20013-7127

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Mr. Stokes:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Edward J. McKay, Chief Spatial Reference
National Geodetic Survey
1315 East-West Highway
Silverspring MD 20910

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Mr. McKay:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVIet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Mr. Chris Collins
Virginia Department of Transportation
1401 East Broad Street
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4 Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt to Jewell Valley, Virginia

Dear Mr. Collins:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Ms. Mary Beth Murr
Virginia Department of Game and Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Ms. Murr:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVIet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

To Whom It May Concern:
Virginia Department of Historic Resources
2810 Kensington Street
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Sir or Madam:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller", written over a horizontal line.

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall



Norfolk Southern Corporation
Environmental Protection
110 Franklin Road, S.E.
Roanoke, Virginia 24042-0013

May 23, 2001
1-9-5-4

Ms. Rene Hypes
Virginia Department of Conservation and Recreation
217 Governor Street, 3rd Floor
Richmond VA 23219

SUBJECT: Norfolk Southern Railway Company Proposed Main Line Abandonment of 6.4
Miles of Rail Line Located Between Milepost DC-16.6 and DC-23 From Wyatt
to Jewell Valley, Virginia

Dear Ms. Hypes:

Norfolk Southern plans to file an application with the Surface Transportation Board (STB) seeking authority to abandon rail service from MP DC-16.6 to MP DC-23 (Wyatt to Jewell Valley) in Buchanan County, Virginia. Attached is an Environmental Report describing the proposed action and any expected environmental effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is misleading or incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA), Room 3219, Surface Transportation Board, 1925 K Street, N.W., Washington DC 20423, Telephone (202) 565-1538 and refer to the above Docket. Because applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing our application with the STB, we must receive your comments within three weeks. Please either provide a copy of your comments by mail at the address shown on this letterhead or provide information by telephone to Mr. Larry Western at (540) 981-4239.

Sincerely,

A handwritten signature in black ink, appearing to read "K. R. Miller".

K. R. Miller
Director Environmental Operations

WYJVlet
Attachment
CC: J.R. Paschall

ATTACHMENT #2

HISTORIC REPORT



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
General Attorney

Writer's Direct Dial Number

(804) 629-2752

June 11, 2001

Ms. Kathleen Kilpatrick, Director
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Docket No. AB-290 (Sub-No. 214X), Norfolk Southern Railway Company--
Abandonment between Wyatt and Jewell Valley, Virginia

Dear Mr. Mitchell:

On or about July 2, 2001, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 6.4 miles of rail line located between railroad milepost DC-16.6 at Wyatt and railroad milepost DC-23.0 at Jewell Valley, Virginia. Attached is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If you believe any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C. 20423-0001, Telephone (202) 565-1545, and refer to the above Docket. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the historic impacts of the contemplated action. If there are any questions concerning this proposal, please contact me directly at the above telephone number or address.

Yours very truly,

A handwritten signature in cursive script, appearing to read 'J R Paschall'.

James R. Paschall



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
General Attorney

Writer's Direct Dial Number

(804) 629-2752

June 4, 2001

Mr. H. Bryan Mitchell, Executive Director
Division of Historic Landmarks
221 Governor Street
Richmond, VA 23219

Re: Docket No. AB-290 (Sub-No. 214X), Norfolk Southern Railway Company--
Abandonment between Wyatt and Jewell Valley, Virginia

Dear Mr. Mitchell:

On or about July 2, 2001, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 6.4 miles of rail line located between railroad milepost DC-16.6 at Wyatt and railroad milepost DC-23.0 at Jewell Valley, Virginia. Attached is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. If you believe any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, D. C. 20423-0001, Telephone (202) 565-1545, and refer to the above Docket. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments (with a copy to me) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the historic impacts of the contemplated action. If there are any questions concerning this proposal, please contact me directly at the above telephone number or address.

Yours very truly,

A handwritten signature in cursive script, appearing to read 'J R Paschall'.

James R. Paschall

128

HISTORIC REPORT
PROPOSED RAIL LINE ABANDONMENT

PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (NS) proposes to abandon 6.4 miles of rail line between Milepost DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley, Virginia. A map delineating the line proposed for abandonment is attached as Appendix "A".

The alternatives to abandonment of the line are to not abandon or to discontinue service on the line, retaining the trackage in place. Neither of these alternatives is economically feasible for NS.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** -- Maps were furnished to the Virginia Division of Historic Landmarks.
- (2) **Written Description of Right of Way** -- The right of way width varies, but is generally 40-50 feet on each side of the main track centerline. The line passes through commercial (50%), residential (20%) and undeveloped (30%) areas.
- (3) **Photographs** -- Photographs were furnished to the Virginia Division of Historic Landmarks.
- (4) **Date of Construction of Structures** -- Construction date is shown on the Bridges and Structures Listing attached to this report.
- (5) **History of Operations and Changes Contemplated** -- The Dismal Creek Branch was constructed on land belonging to the Pocahontas Coal Corporation, a subsidiary of Norfolk and Western Railway Company. At a Board of Directors

meeting held on April 11, 1935, construction was proposed and approved for the Dismal Creek Branch of the Buchanan Branch. The Dismal Creek Branch was to be 24 miles in length to serve several mines of the Jewell Ridge Coal Corporation located at Whitewood, Queen, Seng Camp and Jewell Ridge, Virginia. Construction of the branch was completed during 1936.

On June 1, 1982, Norfolk and Western Railway Company and Southern Railway Company, and their subsidiaries, consolidated as subsidiaries of Norfolk Southern Corporation, a non-carrier holding company. Effective December 31, 1990, Southern Railway Company changed its name to Norfolk Southern Railway Company.

Pursuant to a notice of exemption filed in STB Finance Docket No. 33648, Norfolk Southern Railway Company – Merger Exemption – Norfolk and Western Railway Company, served August 31, 1998, Norfolk Southern Railway Company (NSR) merged Norfolk and Western Railway Company (NW) into NSR, effective September 1, 1998.

In recent years, business and industry in the area served by the instant line of railroad declined or closed or changed in character so there is no real need for rail transportation from the locations along this line of track. Authority for discontinuance of operations between Mileposts DC-17.2 and DC-23.0 was granted in ICC Docket No. AB-290 (Sub-No. 100X), served July 16, 1990. The change contemplated in the operation of the line of railroad track specified above

is to abandon this unneeded and unproductive line of railroad.

- (6) **Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic** – Bridge plans may be available for the structure on the line.
- (7) **Opinion Regarding Criteria For Listing In The National Register Of Historic Places** – It is carrier's opinion that the structure on the line to be abandoned does not meet the criteria for listing in the *National Register of Historic Places*. The structure is a small bridge which is short in length and relatively modern and ordinary in design and construction. There is nothing that distinguishes the bridge from others in the region. The line passes through commercial and residential and undeveloped areas. Carrier has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment.
- (8) **Subsurface Ground Conditions That Might Affect Archaeological Recovery** – Carrier is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery.
- (9) **Follow-Up Information** – Additional information will be provided as appropriate.

Trk Type	# of Spans	Span Type	Deck Type	Length	Mtrl Date
0	3	DECK PL GDR	OPEN	121.98	1936

132

2 2533
.C.20.92



PRO PRO

Bridge 2533
M.P.D.C. 20.92



NOTICE OF INTENT
TO ABANDON RAIL

Norfolk Southern Railway Company, given under the seal of the State of Virginia, on the 31st day of October 2002, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of a 6.4-mile line of railroad between milepost DC-18.6, near Wyatt, and milepost DC-23.0, near Jewell Valley, which traverses through United States Postal Service Zip codes 24066 and 24522 in Buchanan County, Virginia. The proceeding will be docketed as No. AB-290 (Sub-No. 214X).

The STB's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-655-1545. Appropriate offers of financial assistance to continue rail service can be filed with the STB. Requests for environmental conditions of public use of rail service can also be filed with the STB. An original and 10 copies of the

I, Lodge Compton, editor and publisher of THE VIRGINIA MOUNTAINEER, a weekly newspaper published in the Town of Grundy, Buchanan County, Virginia, hereby certify that the Order of Publication: Norfolk Southern Railway hereto attached, was duly published in said THE VIRGINIA MOUNTAINEER once a week for One successive weeks, commencing on the 31st day of October, 20 02.

Given under my hand, this 31st day of October, 20 02.

Lodge Compton
Editor and Publisher

Printer's Fee: \$ _____

Circuit Court, Buchanan County, Virginia:

EVINS, Clerk of the Circuit Court of Buchanan County, Virginia, do hereby certify that the publication in this suit gives the abbreviated style of the suit, states briefly the defendants, or unknown parties, against whom it is entered to appear and on or before _____, which is an fifty days after entry of the order of publication. I further certify that the order of publication was posted at the front door of the courthouse wherein so, that a copy of such order of publication was mailed to each of the defendants at the time in the affidavit required by Section 8.01-316, all these things having been done within _____ of publication was entered, as required by law.

hand this _____ day of _____, 20 ____.

135 _____ Clerk
By: _____ Deputy Clerk



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

James R. Paschall
General Attorney

Writer's Direct Dial Number
(757) 629-2759

November 5, 2002

EXHIBIT 4

Mr. Theodore V. Morrison, Jr., Chairman
Virginia State Corporation Commission
P. O. Box 1197
Richmond, VA 23218

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
P. O. Box 37127
Washington, DC 20013-7127

U. S. Department of Agriculture
Chief of the Forest Service
Sidney R. Yates Federal Building
201 14th Street, SW at Independence Ave., SW
Washington, DC 20250

National Park Service
Land Resources Division-MS800
800 N. Capitol St., N.W.
Washington, DC 20001

Re: STB Docket No. AB-290 (Sub-No. 214X), Norfolk Southern Railway Company -
Abandonment Between Wyatt and Jewell Valley, Virginia

Ladies and Gentlemen:

Pursuant to 49 CFR 1152.50(d)(1), Norfolk Southern Railway Company (NS) hereby gives notice that on or about November 15, 2002, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit NS' abandonment of a 6.4-mile line of railroad lying between Milepost DC-16.6 at Wyatt and Milepost DC-23.0 at Jewell Valley, Buchanan County, Virginia (see attached map). No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,

James R. Paschall