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Natalie S. Rosenberg
Counsel

March 7, 2003

VIA AIRBORNE EXPRESS

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

Re: STB Docket No. AB-565 (Sub-No. 14X) - 207 374
New York Central Lines, LLC - Abandonment
STB Docket No. AB-55 (Sub-No. 629X) - 207 375
CSX Transportation, Inc. - Discontinuance of Service
Notice of Exemption to Abandon in Schenectady County, New York

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MAIL
MANAGEMENT
STB

Dear Mr. Williams:

Enclosed are the original and ten (10) copies of documents that were inadvertently omitted from New York Central Lines, LLC and CSX Transportation, Inc.'s Notice of Exemption filed on February 28, 2003, in the above-captioned matter.

Very truly yours,

Natalie S. Rosenberg
Natalie S. Rosenberg *phw*

NSR/pkw

Enclosures

RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

1. Proposed Consummation Date.

The proposed consummation date of this abandonment is April 28, 2003.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as Exhibit B to this Notice of Exemption.

3. Information required in Section 1152.22(a)(1-4),
(7) and (e)(4).

(a) General.

(1) Exact name of applicants.

New York Central Lines, LLC and CSX
Transportation, Inc.

(2) Whether applicants are common carriers
by railroad subject to the Interstate
Commerce Act.

NYC and CSXT are common carriers by
railroad subject to the Interstate
Commerce Act.

(3) Relief sought (abandonment of line or
discontinuance of operations).

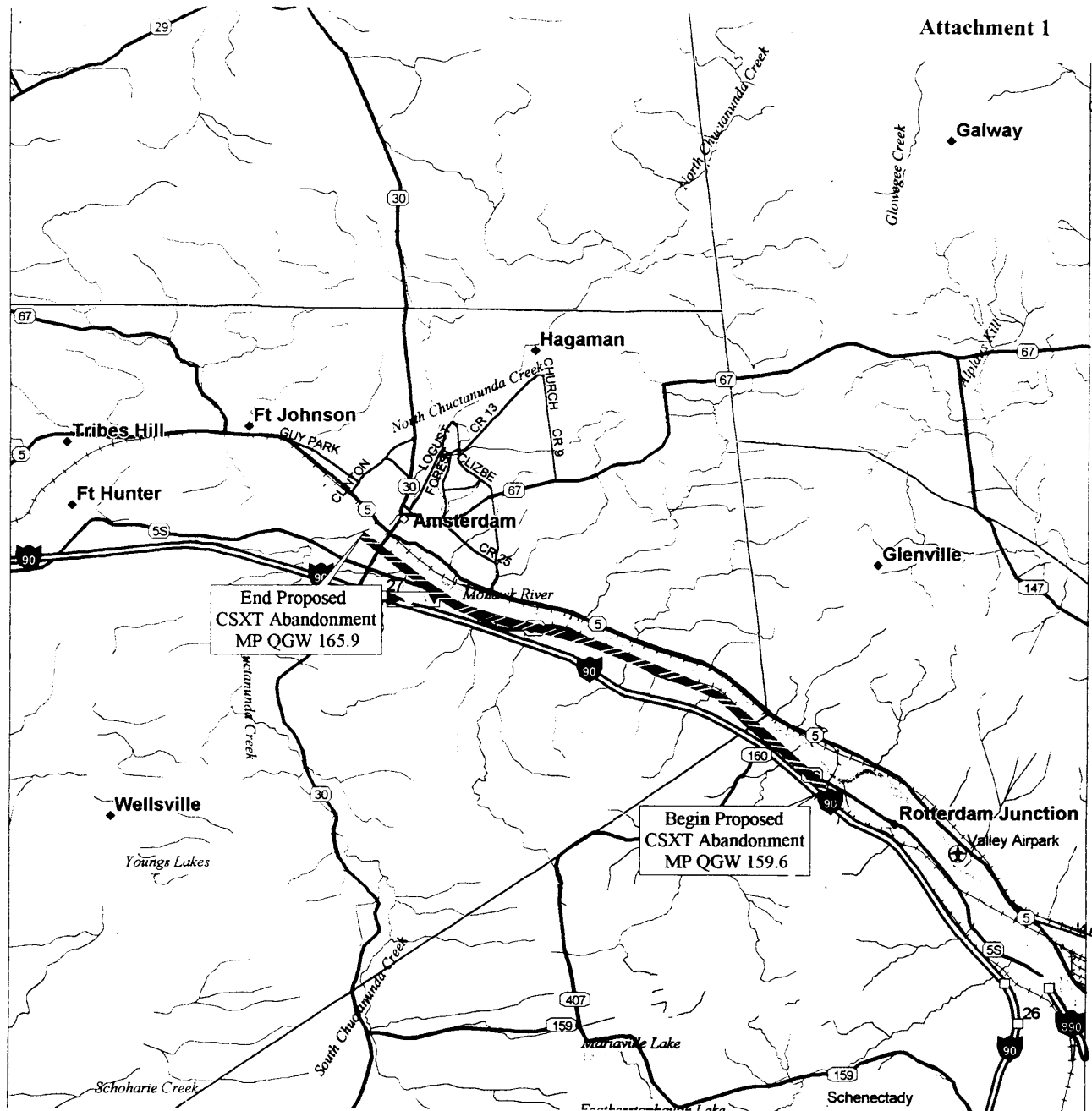
NYC seeks authority to abandon the
line. CSXT seeks authority to
discontinue service on the line.

(4) Detailed map of the line.

Maps are attached hereto as Exhibit A.

Environmental Report

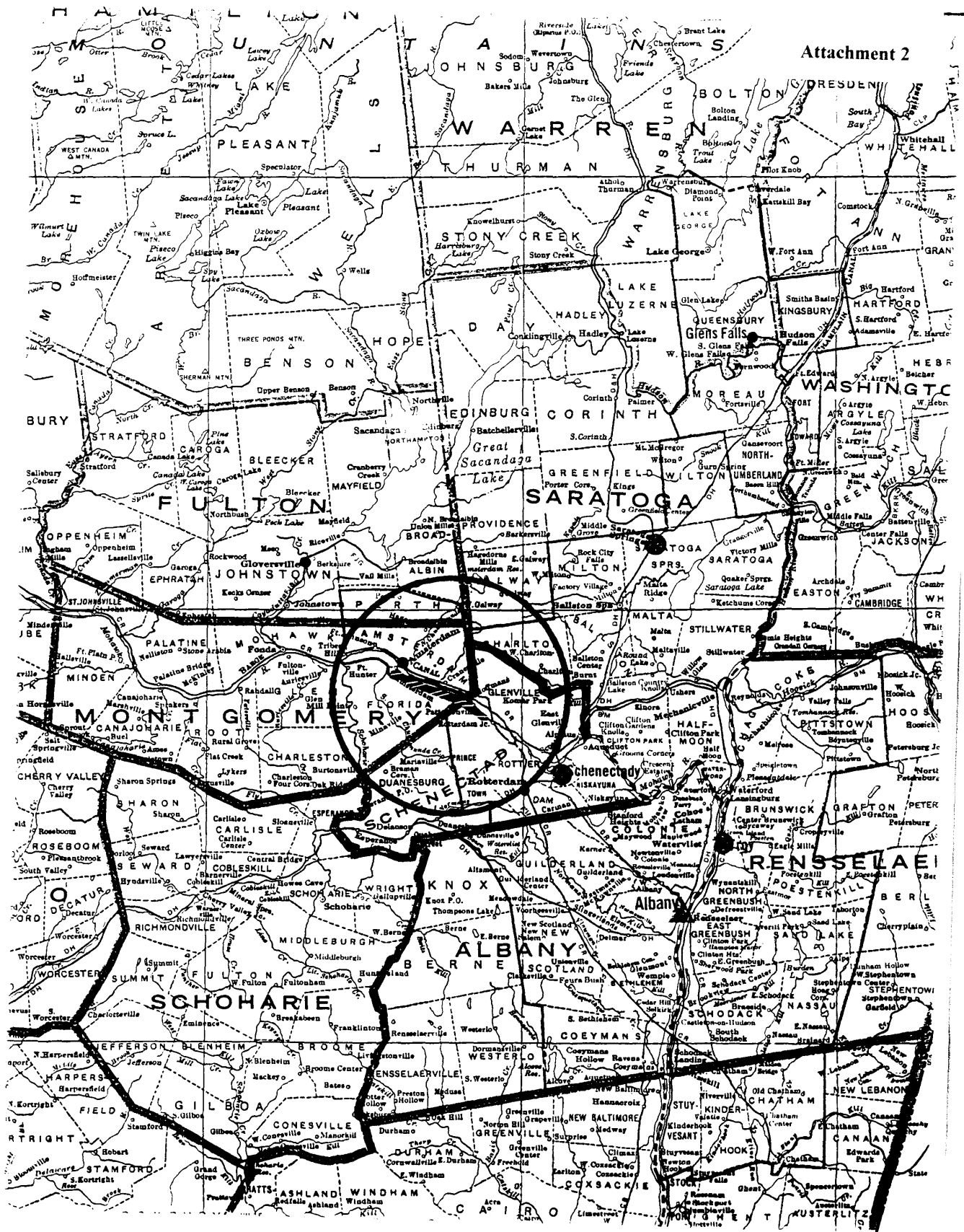
Attachments



CSX Transportation, Inc. & New York Central Lines, LLC

South Amsterdam, Montgomery County to
Rotterdam Junction, Schenectady County, New York

6.3 Miles of track proposed to be abandoned





County of Schenectady
NEW YORK

David R. Atkins
Commissioner

DEPARTMENT OF PLANNING
(518) 386-2225 FAX (518) 382-5539
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, New York 12308

January 28, 2003

Dave Geraci
Project Manager – North Region
CSX Transportation
500 Water Street – J200
Jacksonville, FL 32202

**Re: CSXT Abandonment
South Amsterdam to Rotterdam Junction**

Dear Mr. Geraci:

Please be advised that Schenectady County in cooperation with New York State has contemplated the use of a portion of this corridor, if ever abandoned, to extend the Mohawk-Hudson Bike-Hike Trail from its current terminus in Rotterdam Junction to the Montgomery County line. Consequently, maintaining the entirety of the rail line corridor is important to our long-range plans for this recreational/transportation facility.

Please keep me apprised of any further developments regarding the rail line. In the meantime if you would like to discuss this matter further, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "David R. Atkins", is written over a horizontal line.

David R. Atkins
Commissioner



Dave Geraci
Project Manager - North Region
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 4

January 22, 2003

Mr. Michael Kayes
Director, Montgomery County
Department of Planning & Development
County Annex Building
20 Park Street
PO Box 1500
Fonda, NY 12068

Mr. Kayes:

Please be advised that New York Central Lines, LLC is considering abandonment and CSX Transportation, Inc. is considering discontinuing service of a portion of their rail line from South Amsterdam, Montgomery County to Rotterdam Junction, Schenectady County, New York, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(i) require that we develop a response to the following statement:

"Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for Montgomery County and the line's relationship to such planning.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", with a long horizontal line extending to the right.

Attachment



Attachment 5

**4001 STHWY 5 S
Fultonville, NY 12072
(518) 853-4015**

January 29, 2003

Dave Geraci
Project Manager – North Region
500 Water Street – J200
Jacksonville, FL 32202

RE: Rail Line from South Amsterdam, NY to Rotterdam Junction NY

Enclosed are several soil maps that highlight the railroad line from the intersection of State Highway 30 in South Amsterdam to the Montgomery County border in response to the letter you sent dated January 22, 2003.

Also enclosed is a copy of the non-technical soils descriptions for the soil types under and/or adjacent to the line. The descriptions indicate which soil types are considered prime farmland.

The majority of the Montgomery County portion of the rail line is located on cut and fill land. There are only some small areas of prime farmland located adjacent to the line.

Please feel free to contact me if you require any additional information regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thomas Bielli", is written over a horizontal line.

Thomas Bielli
District Conservationist

Cc: Richard Martin, DC Schenectady County

The United States Department of Agriculture (USDA) 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 familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410, or call (202)720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.



Dave Geraci
Project Manager - North Region
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 6

January 22, 2003

Mr. George R. Stafford, Director
Coastal Resources & Waterfront
Revitalization Division
Secretary of State's Office
41 State Street
Albany, NY 12331-0001

Mr. Stafford:

Please be advised that New York Central Lines, LLC is considering abandonment and CSX Transportation, Inc. is considering discontinuing service of a portion of their rail line from South Amsterdam, Montgomery County to Rotterdam Junction, Schenectady County, New York, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations require expanded environmental information in connection with rail lines, which are subject to abandonment. One of these is to determine if a designated coastal zone management area is involved, and, if so, if the proposed action is consistent with the affected State's Coastal Zone Management Program.

I would appreciate your advising if the removal of the rail would have an effect on your program. It is NYC's and CSXT's intention to simply remove the metal material from the top layer of gravel ballast, and to preserve the existing routes of water flow and drainage. We do not anticipate any dredging or use of fill in the removal of the track material.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Geraci", with a long horizontal line extending to the right.

Attachment

New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • FAX: (518) 402-8925
Website: www.dec.state.ny.us



January 31, 2003

Attachment 7

Dave Geraci
CSX Transportation
500 Water St, J200
Jacksonville, FL 32202

Dear Mr. Geraci:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to the proposed Rail Material Removal - Abandoned portion of railway from South Amsterdam, Montgomery County to the Rotterdam Junction, Schenectady County, area as indicated on the map you provided.

We have no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of your site.

The absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain any information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. For these reasons, we cannot provide a definitive statement on the presence or absence of rare or state-listed species, or of significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities and other significant habitats maintained in the Natural Heritage Databases. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

Sincerely,

Charlene Houle, Information Services
NY Natural Heritage Program

jp

Enc.

cc: Reg. 4, Wildlife Mgr.
Reg. ~~4~~ Fisheries Mgr.



Dave Geraci
Project Manager - North Region
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 8

January 22, 2003

Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

Gentlemen:

Please be advised that New York Central Lines, LLC is considering abandonment and CSX Transportation, Inc. is considering discontinuing service of a portion of their rail line from South Amsterdam, Montgomery County to Rotterdam Junction, Schenectady County, New York, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we develop a response to the following statements:

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, we would appreciate receiving your concurrence with NYC's and CSXT's position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", written over a horizontal line.

Attachment



Dave Geraci
Project Manager - North Region
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 9

January 22, 2003

Mr. Joe Vietri
U.S. Army Corps of Engineers
New York District
26 Federal Plaza
New York, NY 10278

Mr. Vietri:

Please be advised that New York Central Lines, LLC is considering abandonment and CSX Transportation, Inc. is considering discontinuing service of a portion of their rail line from South Amsterdam, Montgomery County to Rotterdam Junction, Schenectady County, New York, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9)(ii) require that we develop a response to the following statement:

"Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100 year flood plains will be affected. Describe the effects."

It is our opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossies and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. We do not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and we do not anticipate any dredging or use of fill in the removal of the track material. The track removal will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. The crossies and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways.

Based upon the above described actions, we would appreciate your concurrence in NYC's and CSXT's position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

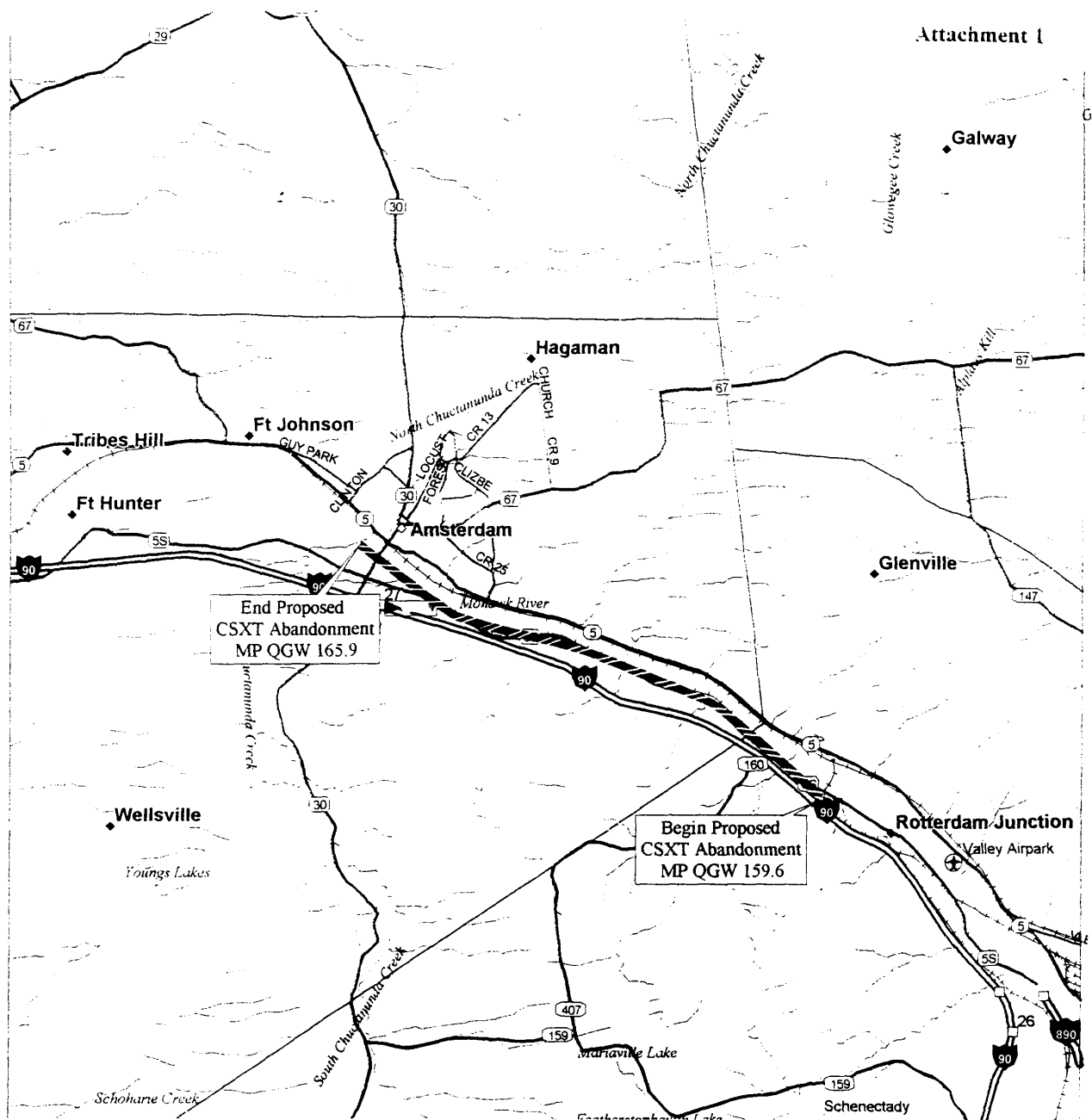
We would appreciate your comments; and, if you have any questions, please feel free to call me.

Sincerely,

Attachment

Historic Report

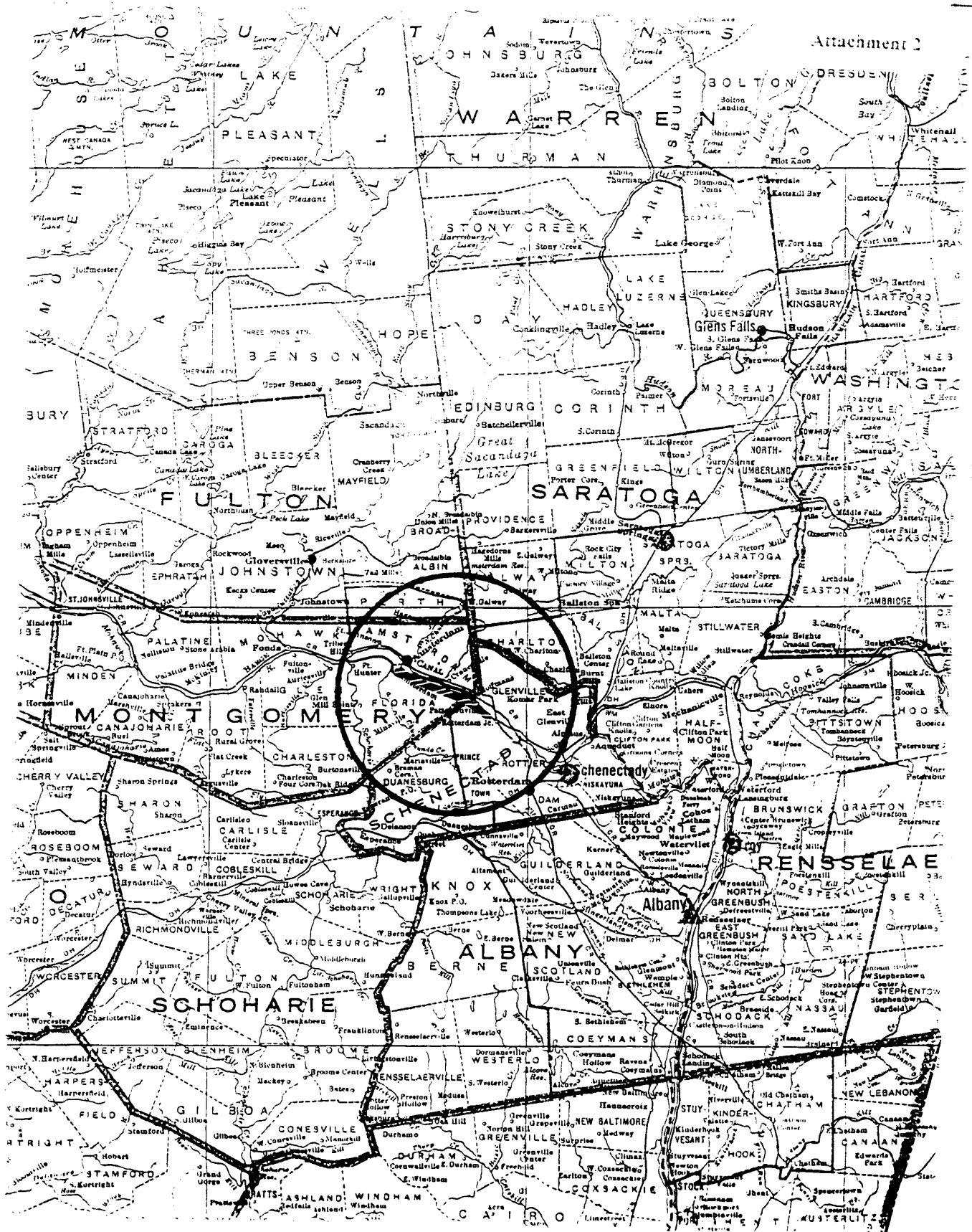
Attachments

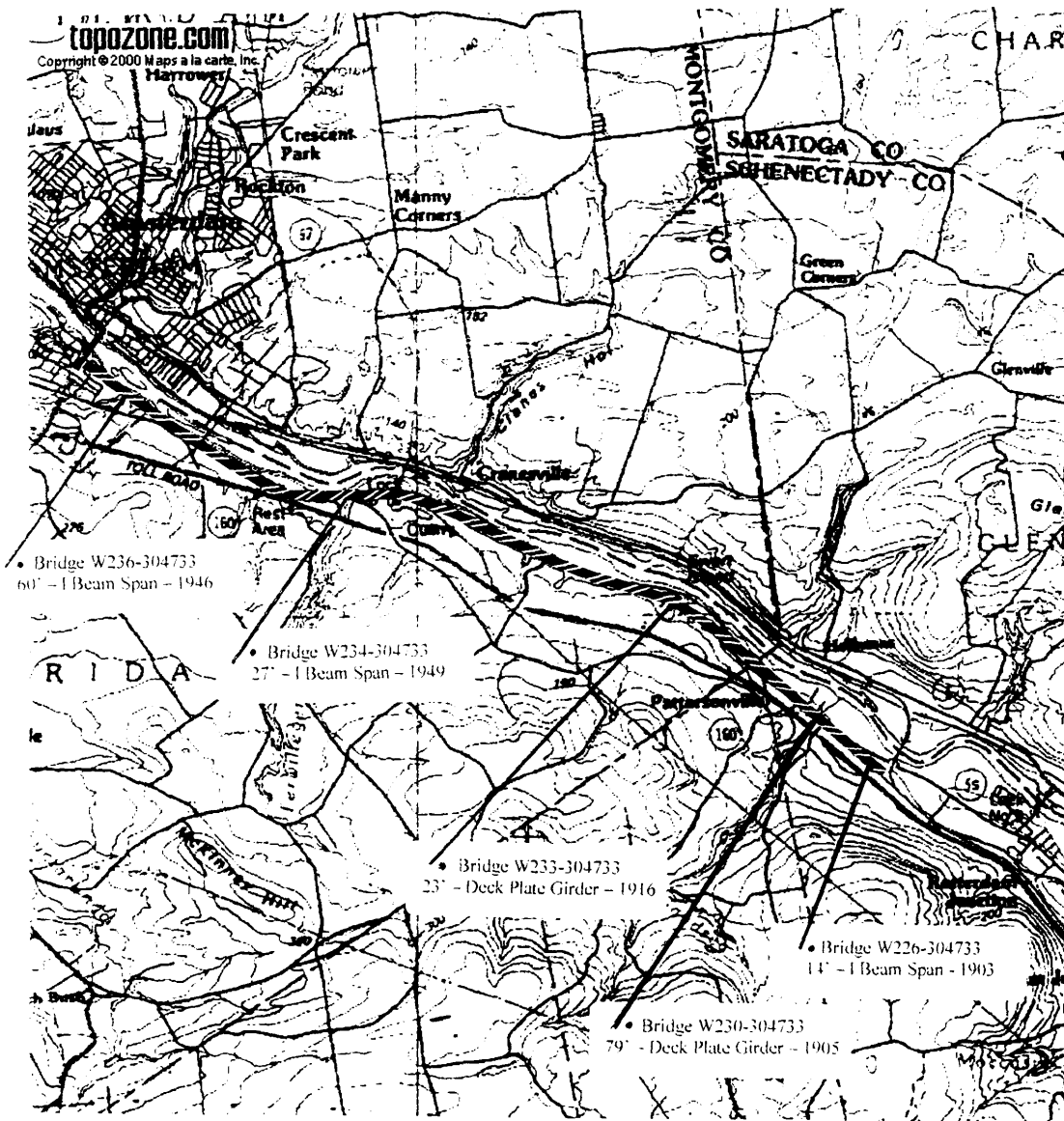


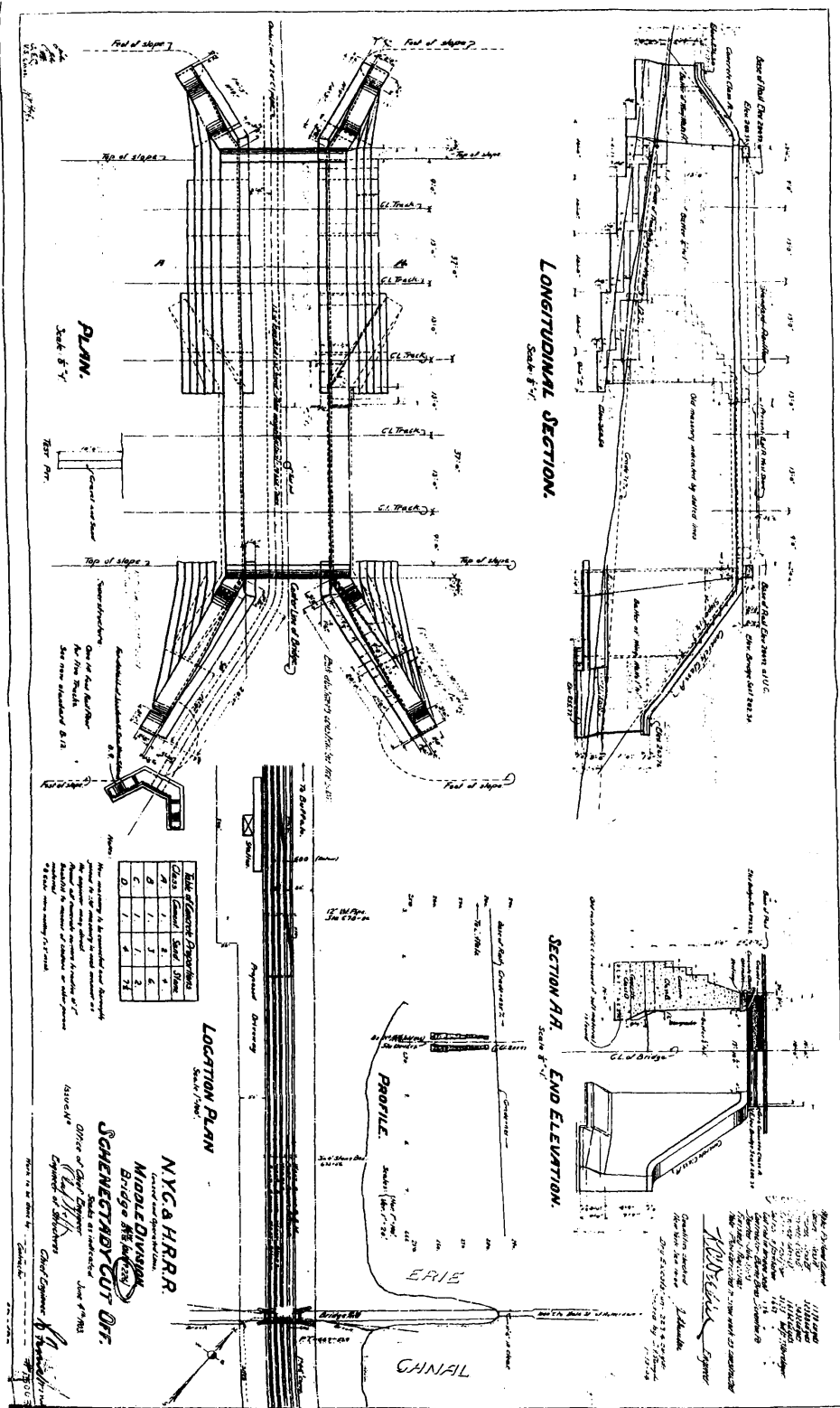
CSX Transportation, Inc. & New York Central Lines, LLC

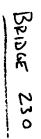
South Amsterdam, Montgomery County to
Rotterdam Junction, Schenectady County, New York

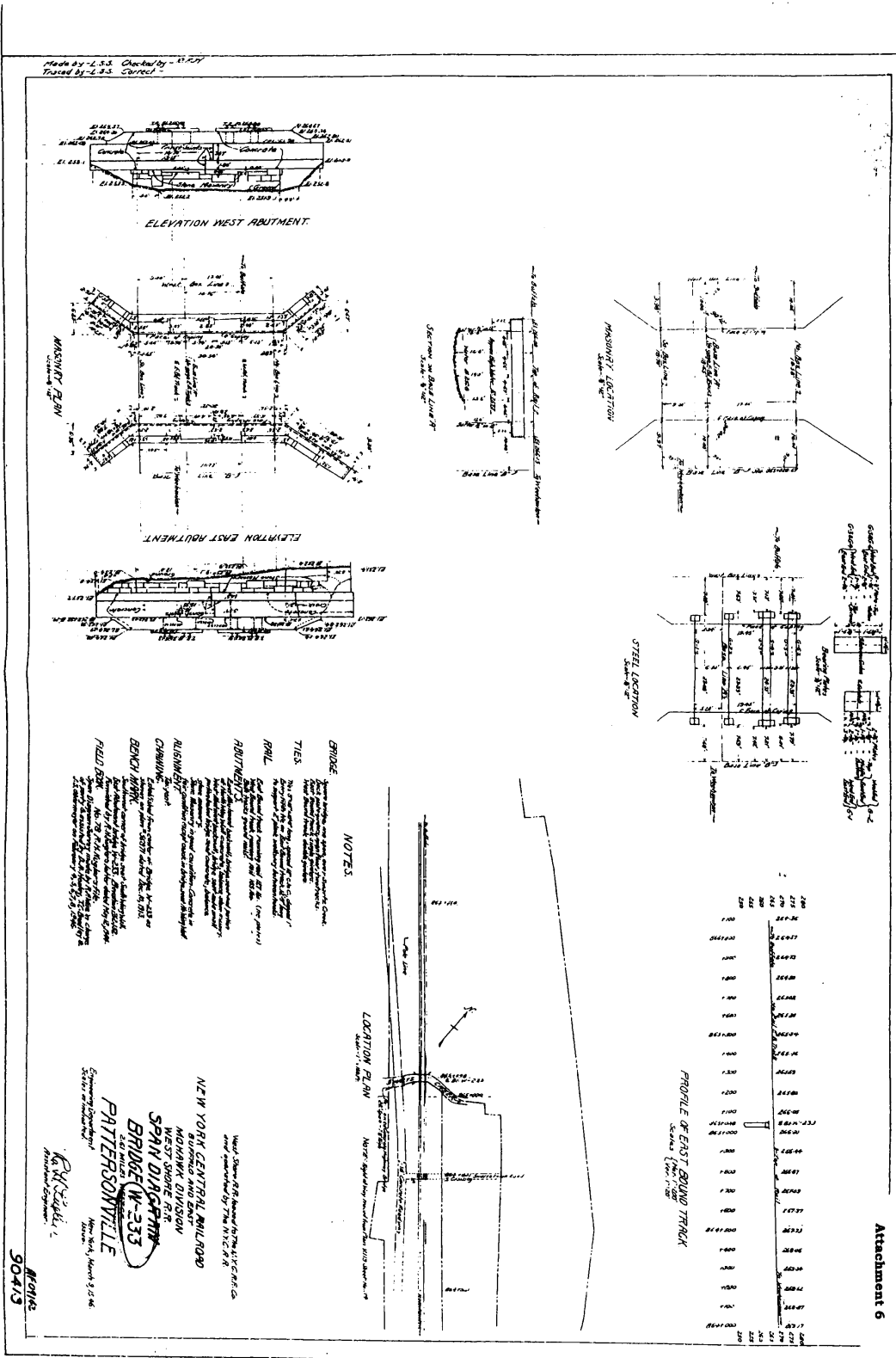
 6.3 Miles of track proposed to be abandoned

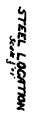
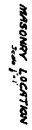
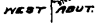










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MOBILE DIVISION

MISTERY

Engineering Dept.
Scale as indicated

NEW YORK, MARCH 21, 1946
 ISSUE NO
 E. H. Stagle
 Assistant Engineer

MF-09340
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