



NATALIE S. ROSENBERG
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208354

FILED
JUL 14 2003 July 11, 2003

VIA AIRBORNE EXPRESS

**SURFACE
TRANSPORTATION BOARD**

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

**Re: STB Docket No. AB-55 (Sub-No. 638X)
CSX Transportation, Inc. - Abandonment
Exemption in Knox County, Ohio**

RECEIVED
JUL 14 2003
Part of
File Record

Dear Mr. Williams:

Enclosed for filing are the original and ten copies of CSX Transportation, Inc.'s Petition for Exemption in the above-captioned proceeding. A check in the amount of \$4,700.00 to cover the filing fee is also enclosed. Finally, I am enclosing the original and ten copies of a draft Federal Register notice along with a computer diskette compatible with the Board's current word processing capabilities. I would appreciate your acknowledgment of receipt of these documents by stamping the enclosed extra copy of this letter and returning it to me in the enclosed self-addressed stamped envelope.

Very truly yours,

Natalie S. Rosenberg
Natalie S. Rosenberg

FEE RECEIVED
JUL 14 2003

**SURFACE
TRANSPORTATION BOARD**

NSR/pkw

Enclosures

STB Docket No. AB-55 (Sub-No. 638X)

Notice of Petition for Exemption to Abandon

On July 11, 2003, CSX Transportation, Inc. filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption to abandon a line of railroad in the Midwest Region, Louisville Division, Lake Erie Subdivision, extending from Milepost BQ 25.90 to Milepost BQ 32.27, a total distance of approximately 6.37 miles, (hereinafter referred to as "the line"). The line traverses through United States Postal Service ZIP Codes 43050 and 43019. The line for which the abandonment exemption request was filed includes no stations.

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.

The interest of railroad employees will be protected by the labor protective conditions imposed in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after

notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 638X)

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN KNOX COUNTY, OHIO

P E T I T I O N F O R E X E M P T I O N

NATALIE S. ROSENBERG
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1253

Counsel for
CSX TRANSPORTATION, INC.

Dated: July 11, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

FILED
JUL 14 2003
SURFACE
TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 638X) ENTERED
Office of Proceedings

FEE RECEIVED

JUL 14 2003 CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
SURFACE TRANSPORTATION BOARD IN KNOX COUNTY, OHIO

JUL 14 2003
Office of
Public Records

P E T I T I O N F O R E X E M P T I O N

CSX Transportation, Inc. ("CSXT") proposes to abandon a line of railroad in its Midwest Region, Louisville Division, Lake Erie Subdivision, extending from Milepost BQ 25.90 at Mt. Vernon to Milepost BQ 32.27 at Fredericktown, a total distance of approximately 6.37 miles, in Knox County, Ohio (hereinafter referred to as "the line"). The line traverses through United States Postal Service ZIP Codes 43050 and 43019. Maps showing the trackage proposed for abandonment, as well as the location of the trackage in the State of Ohio, are attached to this petition as Exhibit A. CSXT files this petition under 49 U.S.C. 10502 for an exemption from the provisions of 49 U.S.C. 10903, with regard to

the proposed abandonment. In support of its petition, CSXT states the following:

1. CSXT proposes to abandon a 6.37 mile portion of its Midwest Region, Louisville Division, Lake Erie Subdivision, extending from Milepost BQ 25.90 to Milepost BQ 32.27 in Knox County, Ohio. Abandonment of this line will allow for the elimination of 15 highway rail at-grade crossings.

- a. Traffic

There are two rail patrons currently located on the line. Rural Farm Distributors ("Rural") and B&B Farm Service ("B&B") have received shipments by rail during the past two years. See the Verified Traffic Statement which is attached hereto as Exhibit E. Because Rural and B&B primarily utilize rail transportation, CSXT has agreed to refrain from exercising any abandonment authority granted for a period to allow Rural and B&B a sufficient amount of time to make alternative transportation arrangements.

Rural and B&B operate farm supply businesses that sell fertilizer to consumers in the Fredericktown area. Although both Rural and B&B tend to rely on rail transportation, both utilize truck transportation periodically. Rural received 37 carloads in 2001; 40 carloads in 2002 and 27 carloads to date in 2003. B&B received 49 carloads in 2001; 36 carloads in 2002 and 22 carloads to date in 2003.

The primary alternative transportation option available to these customers is greater use of motor carrier transportation.

CSXT, however, is investigating the possibility of establishing a transload site in the area.

Rural and B&B have been made aware that this abandonment filing was forthcoming. Because CSXT is willing to work with Rural and B&B to continue to offer rail transportation for a time and to investigate additional transportation alternatives, Rural and B&B do not intend to oppose this abandonment proceeding. See letters of non-opposition attached hereto as Exhibits G and H.

b. Economic Analysis

Alicia Blong, an Economic Consultant in the Finance Department of CSXT prepared revenue and cost data for the line in conformity with 49 CFR §1152.36. This analysis (See Exhibit F) shows the following:

	Base Year	Forecast Year	Subsidy Year
Revenues Attributable	\$155,350	\$161,390	\$161,390
Avoidable Costs	\$147,692	\$151,371	\$151,371
Subsidization Costs	-	-	\$ -
Return on Value	\$	\$ 11,496	\$ 11,496
Avoidable Loss	\$ (7,658)	\$ (10,019)	\$ (10,019)
Avoidable Loss/Opportunity Costs	-	\$ 1,477	-
Subsidy Year Loss	-	-	\$ 1,477

Although CSXT did not include any subsidization costs in the analysis, a number of the ties on the line are in need of replacement. A rough estimate suggests that 35% of the ties will require replacement in the near future.

2. Under 49 U.S.C. 10903, a rail line cannot be abandoned without the prior approval of the Board. However, under 49 U.S.C.

10502, the Board must exempt a rail transaction from regulation when it finds that (1) application of the pertinent statutory provisions is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101; and (2) either the transaction is of limited scope or regulation is unnecessary to protect shippers from the abuse of market power. The proposed abandonment falls squarely within the statutory standards requiring exemption.

3. The rail transportation policy set forth in 49 U.S.C. 10101 requires, as relevant here, that in exercising its regulatory authority, the Board will minimize the need for Federal regulatory control over the rail transportation system and, when regulation is necessary, render fair and expeditious regulatory decisions; reduce barriers to exit from the industry; foster sound economic conditions and encourage efficient management; ensure the operation of transportation facilities and equipment without detriment to the public health and safety; and promote a sound transportation system meeting the needs of the public and the national defense.

Exemption of the proposed abandonment well serves all of these elements of the rail policy. Specifically, by minimizing the regulatory expense and time lag inherent in a full abandonment application, exemption will expedite regulatory decisions and reduce regulatory barriers to exit. Exemption will also foster sound economic conditions and encourage efficient management. As earlier indicated, the rail patrons located on the line make

minimal use of the line. The patrons already occasionally make use of another viable transportation alternative and CSXT is investigating the potential for establishing a transloading opportunity. The patrons do not intend to oppose this abandonment. Finally, the proposed abandonment will relieve CSXT from the costs of owning and maintaining an under-utilized line of railroad.

The line does not serve a military facility. Given this fact, it seems very unlikely that the line proposed for abandonment is necessary for the national defense. Nevertheless, CSXT has served a copy of this petition on the Military Traffic Management Command, which shall advise the Board of any national defense concerns about the line.

In short, full abandonment proceedings are unnecessary to carry out any of the relevant rail transportation policy elements of 49 U.S.C. 10101. No vital interest of shippers, competitors or communities will be adversely affected, and the abandonment exemption CSXT seeks here will free it from the burdens associated with ownership and maintenance of the line.

4. The Environmental Report required by 49 C.F.R. Section 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits B and C, respectively, to this petition for exemption. Attached as Exhibit D is a certificate showing CSXT's compliance with 49 C.F.R. 1105.11.

5. CSXT understands that the Board will impose labor protective conditions as stated in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979), to satisfy the requirements of 49 U.S.C. 10502(g).

6. The rail patrons located on the line have made minimal use of rail transportation in the past few years. Furthermore, these patrons have an alternative transportation option available to them. It is therefore clear that the proposed abandonment presents no opportunity for an abuse of market power. Further, the proposed abandonment is of limited scope, because it involves only 6.37 miles of trackage.

7. All communications with respect to this petition should be directed to:

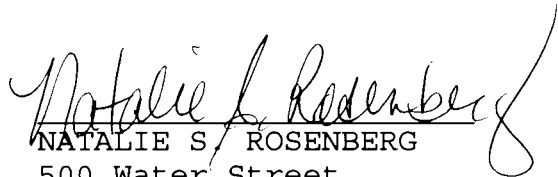
Natalie S. Rosenberg
Senior Counsel
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1253

8. Based on information in our possession, the line does not contain federally granted right-of-way. Any documentation in petitioner's possession will be made available promptly to those requesting it.

9. The newspaper notice required by 49 C.F.R. 1105.12 was published in the *Mount Vernon News*, Mt. Vernon, OH on July 10, 2003. An Affidavit of publication from the newspaper will be forwarded to the Board as soon as it is received by CSXT.

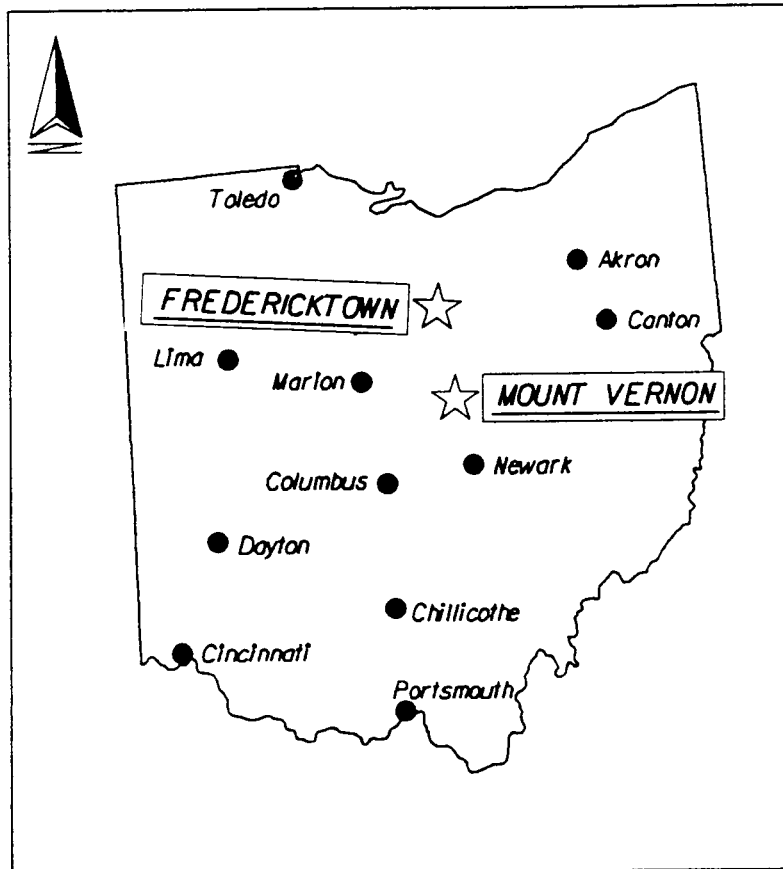
CSXT accordingly requests that the Board grant an exemption from the provisions of 49 U.S.C. 10903, with regard to the proposed abandonment of that portion of its Midwest Region, Louisville Division, Lake Erie Subdivision, extending from Milepost BQ 25.90 at Mt. Vernon to Milepost BQ 32.27 at Fredericktown in Knox County, Ohio.

Respectfully submitted,


NATALIE S. ROSENBERG
500 Water Street
Jacksonville, Florida 32202

Counsel for
CSX Transportation, Inc.

Dated: July 11, 2003



AREA MAP
STATE OF OHIO

PROPOSED ABANDONMENT - 6.37 MILES
KNOX COUNTY
MOUNT VERNON TO FREDERICKTOWN, OH

MIDWEST REGION - LOUISVILLE DIVISION - LAKE ERIE SUBDIVISION

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC.

MOUNT VERNON TO FREDERICKTOWN
KNOX COUNTY, OHIO

DOCKET AB-55 (SUB-NO. 638X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(1) PROPOSED ACTION AND ALTERNATIVES

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon 6.37 miles of its rail line between Mount Vernon and Fredericktown, Knox County, Ohio. This line segment has generated minimal originating and terminating traffic during the past two years and no new rail-oriented business is expected to develop. During the past several years, the principal commodity transported over the line has been fertilizers.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast; subsequently, the operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps which delineate the proposed project are attached. (See Attachments 1 and 2.)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There is no passenger traffic on this line. Transportation options available to the patron on this line segment include either a combination of rail and motor carrier or motor carrier only.

(3) LAND USE

- (i) 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.**

On May 5, 2003, the Knox County Board of Commissioners advised that there were interested in the rail right-of-way as a bicycle/pedestrian trail. (See Attachment 3.) In addition, on May 3, 2003, by electronic mail, the Ohio Department of Natural Resources advised that it "*. . . supports the proposed abandonment due to the potential use as a bikeway trail in Knox County.*" (See Attachment 4.)

Applicant has concluded that the proposed action is not inconsistent with local land use plans.

- (ii) Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.**

On May 5, 2003, by electronic mail, the District Conservationist, Natural Resource Conservation Service, advised that the land contiguous to the rail line is classified as prime farmland. (See Attachment 5.)

While some prime farmland may exist in the vicinity of this project, Applicant feels that the simple removal of track should not have an adverse impact.

- (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.**

On May 5, 2003, by electronic mail, the Ohio Department of Natural Resources advised that the project is not located in the designated coastal zone area of Lake Erie and that the proposed project would not affect the Lake Erie coastal resources. (See Attachment 6.)

- (iv) If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

The properties proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

(4) ENERGY

- (i) Describe the effect of the proposed action on transportation of energy resources.

The proposed action will have no effect on the transportation of energy resources.

- (ii) Describe the effect of the proposed action on recyclable commodities.

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

- (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

There will be no diversion of rail traffic to motor carriage in excess of the above thresholds.

(5) AIR

- (i) If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

- (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

The proposed abandonment will have no detrimental effects on public health and safety. The removal of 15 grade crossings and the associated signs and structures will enhance public safety by eliminating distractions to vehicular traffic crossing the line.

- (ii) **If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

Not applicable.

- (iii) **If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous materials involved.**

Applicant's records do not indicate any hazardous waste sites or sites where there have been hazardous material spills on this line segment.

(8) BIOLOGICAL RESOURCES

- (i) **Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant has not received a response to its inquiry of April 28, 2003, to the U. S. Department of the Interior, Fish and Wildlife Service, Reynoldsburg, Ohio, seeking information regarding this statement. (See Attachment 7.)

On June 27, 2003, the Ohio Department of Natural Resources, Division of Real Estate and Land Management, Columbus, Ohio, advised that their Natural Heritage Database contains one record of a rare species near the proposed project area. The rare species, identified as *cryptobranchus alleganiensis* (Eastern Hellbender), is endangered in the state of Ohio. The ODNR, Division of Wildlife does not have any concerns regarding impacts to this rare species. (See Attachment 8.)

- (ii) **State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.**

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(9) WATER

- (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.**

On June 18, 2003, the Ohio Environmental Protection Agency, Columbus, Ohio, advised that no permits are needed for the proposed action. They also advised that *"As long as 'best management practices' are carried out during the removal of track material and the upper layer of ballast in the vicinity of local streams or rivers, there should be no adverse effects to the stream or aquatic life."* (See Attachment 9.)

- (ii) 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.**

On May 9, 2003, the U. S. Army Corps of Engineers, Huntington, West Virginia, advised that *"... it appears that no fill or dredge material would be placed in waters of the United States. Therefore, no authorization is required from the Corps of Engineers for this activity."* (See Attachment 10.)

Applicant is not aware of any designated wetlands or 100-flood plains within the proposed project.

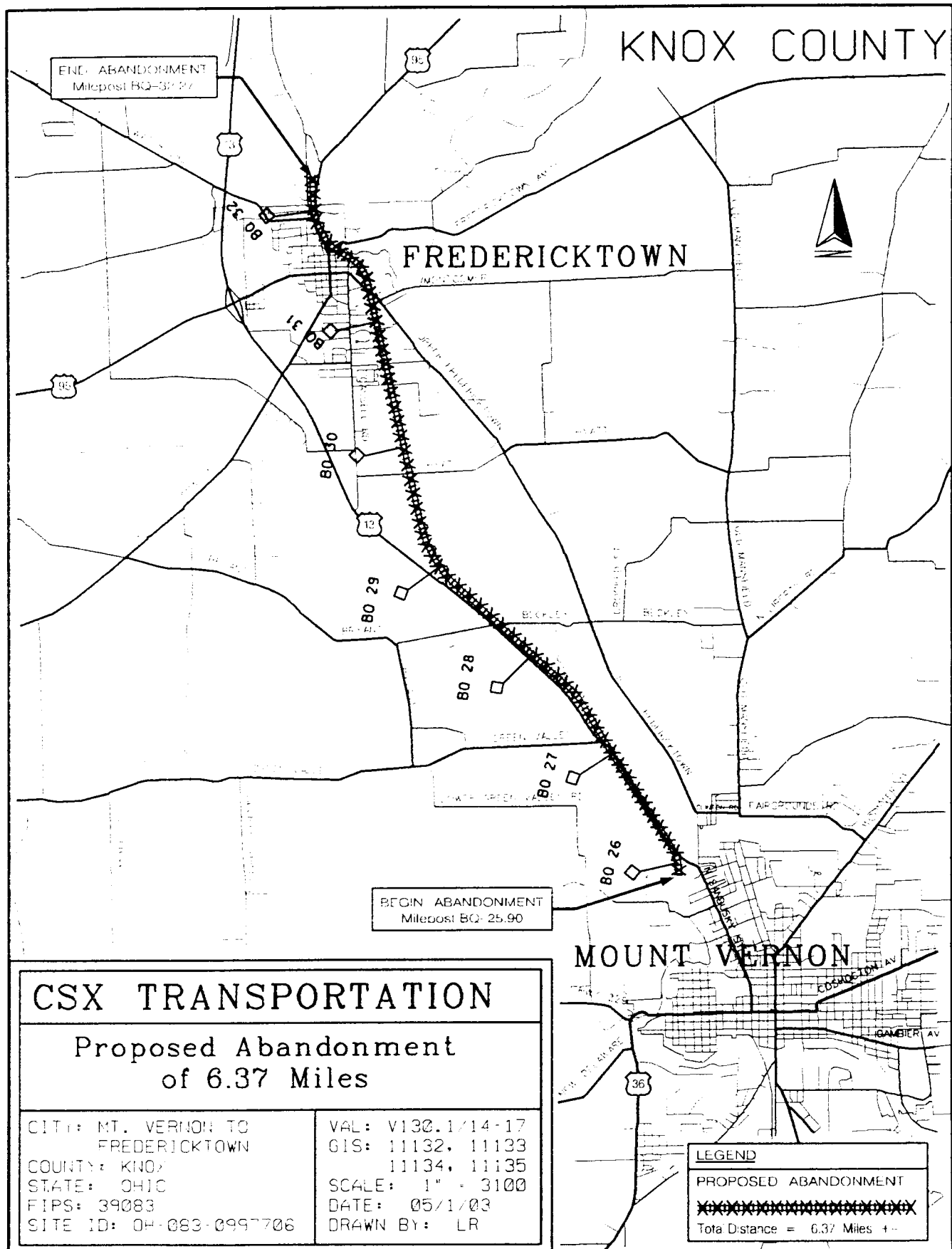
- (iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

On June 18, 2003, the Ohio Environmental Protection Agency, Columbus, Ohio, advised that no permits are needed for the proposed action. They also advised that *"As long as 'best management practices' are carried out during the removal of track material and the upper layer of ballast in the vicinity of local streams or rivers, there should be no adverse effects to the stream or aquatic life."* (See Attachment 9.) In addition, on June 23, 2003, the U. S. Environmental Protection Agency, Chicago, Illinois, advised that *"... we determined that there were no significant concerns meriting comment."* (See Attachment 11.)

10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

There will be no adverse environmental impacts in the project area as a result of this abandonment; therefore, mitigating action will not be necessary.





AREA MAP
STATE OF OHIO

PROPOSED ABANDONMENT - 6.37 MILES
KNOX COUNTY
MOUNT VERNON TO FREDERICKTOWN, OH

MIDWEST REGION - LOUISVILLE DIVISION - LAKE ERIE SUBDIVISION

COMMISSIONERS:

Robert L. Durbin

Thomas C. McLaman

Allen Steckberger

CLERK / ADMINISTRATOR

Rochelle Saatchi

KNOX COUNTY BOARD OF COMMISSIONERS

117 East High Street, Suite #161

Mount Vernon, Ohio 43050

Telephone : 740-393-6703 Fax: 740-393-6705

Email: rochelle@ecr.net

www.knoxcountyohio.org

Attachment 3

To

Exhibit B



May 5, 2003

Ms. Heidi VanHorn-Bash
Director - Asset Management
CSX Transportation
500 Water Street
Jacksonville FL 32202

Dear Ms. Bash:

The Board of Knox County Commissioners is very much interested in turning the seven miles of CSX rail right-of-way into out forth bicycle/pedestrian trail. Local concerned citizens have already joined together and formed a not-for-profit trail board know as the Owl Creek Trail, Inc.

Enclosed is a page from our current Focus 2100 plan concerning the extension of the Kokosing Gap Trail where possible along the former rail right-of-way. The Focus 2100, which is currently under revision, will specifically refer to the development of the Owl Creek Trail in its new plan.

Sincerely,

Robert S. Wise,
Commissioner

Van Horn-Bash, Heidi

From: Pekar, Erin [Erin.Pekar@dnr.state.oh.us]
Sent: Friday, May 23, 2003 3:22 PM
To: Van Horn-Bash, Heidi
Cc: Baker, Kim
Subject: Rail Line Abandonment from Mt. Vernon to Fredericktown, Knox County-Additional Comments

Heidi,

The Ohio Department of Natural Resources (ODNR) has additional comments concerning the above rail line abandonment:
ODNR supports the proposed abandonment due to the potential use as a bikeway trail in Knox County.
ODNR appreciates the opportunity to provide these comments. If you have any questions, please contact me.

Erin

Erin Pekar
Ohio Department of Natural Resources
Division of Real Estate and Land Management
1952 Belcher Drive Bldg. C-4
Columbus, OH 43224-1386
phone: (614) 265/6649
fax: (614) 267/2981
erin.pekar@dnr.state.oh.us

Van Horn-Bash, Heidi

From: Doug Gifford [douglas.gifford@oh.usda.gov]
Sent: Monday, May 05, 2003 10:29 AM
To: Van Horn-Bash, Heidi
Subject: Railroad Abandonment

I received your request for advisement of prime farmland contiguous to a proposed abandonment of a railroad line between Mount Vernon and Fredericktown in Knox County, Ohio.

Almost all of the land contiguous to the rail line is classified as prime farmland according to the Soil Survey of Knox County, Ohio.

If I can be of further assistance in this matter please let me know.

Doug Gifford
District Conservationist
Mount Vernon, Ohio
(740) 392-7806

Van Horn-Bash, Heidi

From: Pekar, Erin [Erin.Pekar@dnr.state.oh.us]
Sent: Monday, May 05, 2003 4:29 PM
To: Van Horn-Bash, Heidi
Cc: Holland, Steven
Subject: Rail Line Abandonment from Mt. Vernon to Fredericktown, Knox Coun ty, Ohio

Dear Heidi,

The Ohio Department of Natural Resources (ODNR) has reviewed the above referenced documentation you sent to our office. The project is not located in the designated coastal zone area of Lake Erie (thus, no effect to Lake Erie coastal resources will occur).

ODNR appreciates the opportunity to provide these comments. If you have any questions, please contact me.

Erin

Erin Pekar
Ohio Department of Natural Resources
Division of Real Estate and Land Management
1952 Belcher Drive Bldg. C-4
Columbus, OH 43224-1386
phone: (614) 265/6649
fax: (614) 267/2981
erin.pekar@dnr.state.oh.us



Ohio Department of Natural Resources

Attachment 8
To
Exhibit B

EXHIBIT B
ATTACHMENT 8

Van Horn-Bash, Heidi

From: Pekar, Erin [Erin.Pekar@dnr.state.oh.us]
Sent: Monday, May 05, 2003 4:29 PM
To: Van Horn-Bash, Heidi
Cc: Holland, Steven
Subject: Rail Line Abandonment from Mt. Vernon to Fredericktown, Knox County, Ohio

Dear Heidi,

The Ohio Department of Natural Resources (ODNR) has reviewed the above referenced documentation you sent to our office. The project is not located in the designated coastal zone area of Lake Erie (thus, no effect to Lake Erie coastal resources will occur).

ODNR appreciates the opportunity to provide these comments. If you have any questions, please contact me.

Erin

Erin Pekar
Ohio Department of Natural Resources
Division of Real Estate and Land Management
1952 Belcher Drive Bldg. C-4
Columbus, OH 43224-1386
phone: (614) 265/6649
fax: (614) 267/2981
erin.pekar@dnr.state.oh.us



Attachment 7

To

Exhibit B

E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

April 28, 2003

Ms. Mary M. Knapp, Supervisor
U.S. Department of the Interior
Fish & Wildlife Service
6950-H Americana Parkway - Suite H
Reynoldsburg, OH 43068-4127

Dear Ms. Knapp:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of its rail line between Mount Vernon and Fredericktown, Knox County, Ohio, as depicted on the attached map.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) require that we develop responses to the following statements:

- (i) Based on consultation with the U. S. Fish and Wildlife Service state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.
- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The removal of the 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 materials from entering any watercourses.

Based upon the above described actions, we would appreciate your concurrence in CSXT's position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

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

Sincerely,

Attachment



Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Attachment 8
To
Exhibit B

Division of Real Estate and Land Management

Paul R. Baldridge, Chief
1952 Belcher Drive -- Bldg. C-4
Columbus, OH 43224-1386
Phone: (614) 265-6395

June 27, 2003

Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

RE: CSX TRANSPORTATION, INC.
PROPOSED ABANDONMENT
MOUNT VERNON TO FREDERICKTOWN, KNOX COUNTY, OHIO
DOCKET NO. AB-55 (SUB-NO. 638X)

To Whom It May Concern:

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced documentation. These comments were generated by an inter-disciplinary review in consultation with the Division of Wildlife and other divisions within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the National Environmental Policy Act and other applicable laws and regulations. These concerns/comments are based on our experience as a resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

The site is located in Morris Twp., Knox Co., Fredericktown Quadrangle. Our Natural Heritage Database contains one record of a rare species near the proposed project. The attached map displays the location of this record. *Cryptobranchus alleganiensis*, Eastern Hellbender, is Endangered in Ohio. The ODNR, Division of Wildlife does not have any concerns regarding impacts to this rare species.

There are no unique natural features near the proposed project, and there are no state nature preserves or scenic rivers in the vicinity of the site.

ODNR continues to support the proposed rail line abandonment due to the potential use as a bikeway trail in Knox County.

ODNR appreciates the opportunity to provide these comments. If you need additional information or have any questions please contact me at (614) 265-6344.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul R. Baldridge For".

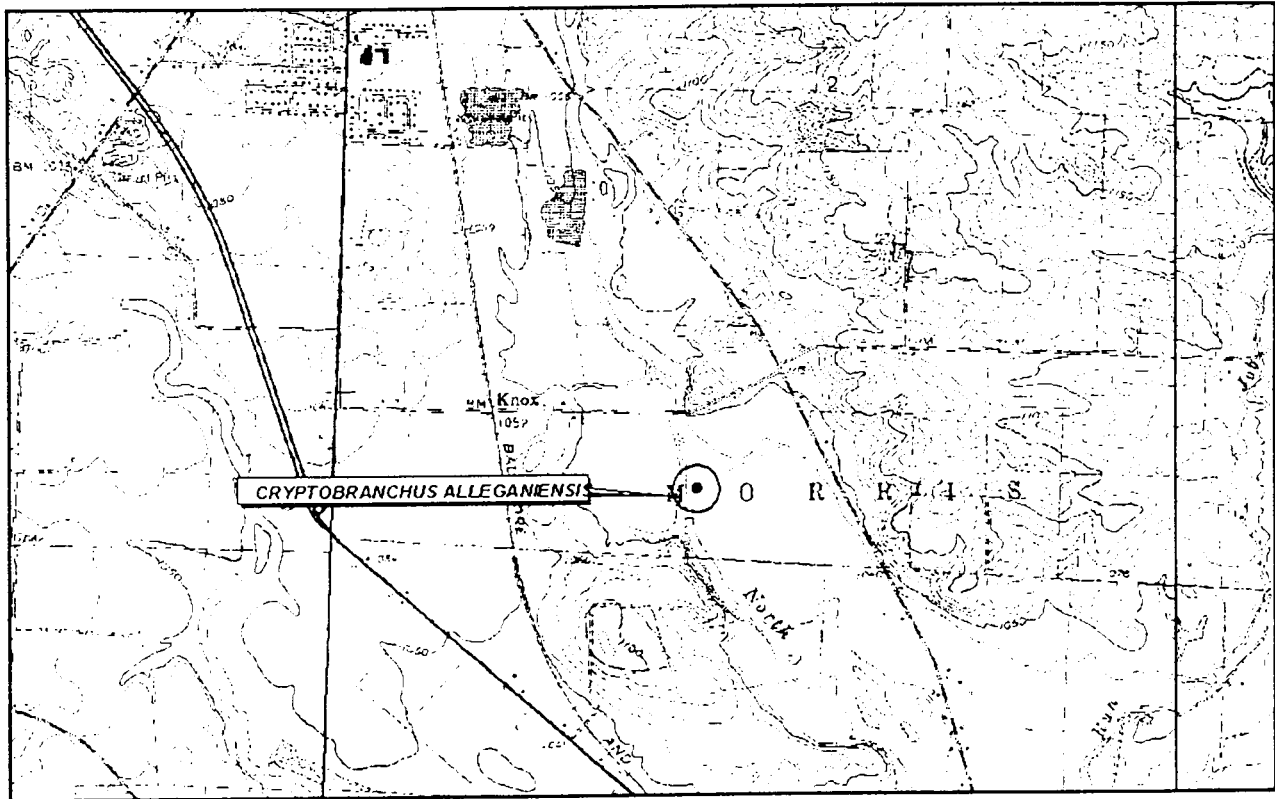
Randall E. Sanders, Environmental Administrator
Division of Real Estate and Land Management

Attachment

cc: Heidi VanHorn-Bash, CSX Transportation
SCEA Unit, Division of Wildlife
Butch Grieszmer, Division of Natural Areas and Preserves
Kenneth Lammers, U.S. Fish and Wildlife Service

Fredericktown Quadrangle

June 23, 2003



Scale 1:18264



Ohio Division of
Natural Areas and Preserves



Attachment 9
To
Exhibit B

CENTRAL DISTRICT OFFICE

From: Bruce Coleman, Chief, CDO
To: Barbara Harris, CSX
Subject: CSX Railroad line abandonment
Date: June 18, 2003

Based on information received from the district Div. of Surface Water staff for the proposed CSX line abandonment between Mt. Vernon and Fredericktown (Docket No AB-55 Sub No. 638X), it appears that no permits are needed that would be issued through the Division of Surface Water.

As long as "best management practices" are carried out during the removal of track material and the upper layer of ballast in the vicinity of local streams or rivers, there should be no adverse effects to the stream or aquatic life.



DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

Attachment 10
To
Exhibit B

REPLY TO
ATTENTION OF:

May 9, 2003

Operations and Readiness Division
Regulatory Branch
200300496-North Branch Kokosing River

Ms. Heidi VanHorn-Bash
Director - Asset Management
CSX Transportation, Inc.
500 Water Street – J200
Jacksonville, FL 32202

Dear Ms. Bash:

I refer to information received in this office on May 2, 2003 concerning the Proposed Abandonment project of the existing rail line between Fredericktown and Mt. Vernon, Knox County, Ohio. You requested that we review the proposal for possible permit requirements.

The United States Army Corps of Engineers, under Section 404 of the Clean Water Act, requires that a Department of the Army permit be obtained prior to placing dredged or fill material into waters of the United States, including wetlands. Based on the information you provided, it appears that no fill or dredged material would be placed in waters of the United States. Therefore, no authorization is required from the Corps of Engineers for this activity. However, should the project be modified to include the placement of fill or dredged material into waters of the United States, prior authorization may be required from this office.

If you have any questions concerning the above, please contact Mr. Jim Spence at 304-529-5210.

Sincerely,



Kimberly D. Courts-Brown
Acting Chief, North Regulatory Section



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, IL 60604

Date: 6/23/03

Document: CSA Abandonment Plan - Vernon - Fredericktown
Environmental Report

Dear Interested Party:

The Environmental Planning and Evaluation Branch has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act; U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

- ☐ The document was not prepared under NEPA.
- ☐ The document was given a cursory review, but other workload priorities precluded us from undertaking a detailed review and generating comments.
- ☒ The document was given a cursory review, and we determined that there were no significant concerns meriting comment.
- ☐ We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. Thank you for providing information on the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake".

Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch

HISTORIC REPORT

CSX TRANSPORTATION, INC.
MOUNT VERNON TO FREDERICKTOWN
KNOX COUNTY, OHIO
DOCKET AB-55 (SUB-NO. 638X)

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSX Transportation, Inc. (CSXT) proposes to abandon 6.37 miles of its rail line between Mount Vernon and Fredericktown, Knox County, Ohio. This line segment has generated minimal originating and terminating traffic during the past two years and no new rail-oriented business is expected to develop. During the past several years, the principal commodity transported over the line has been fertilizers.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps which delineate the proposed project are attached. (See Attachments 1 and 2.)

1105.8(d)

- (1) **A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached are copies of the 1961 (photorevised 1982) Mt. Vernon and 1961 (photorevised 1974) Fredericktown quadrangle topographic maps prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black and white diagonal line. (See Attachments 3 and 4.)

There is one CSXT-owned structure that is 50 years old or older that is part of the proposed action. Its location has been identified on the Fredericktown Quadrangle Map. (See Attachment 4, page 1 of 2.)

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The subject abandonment begins within the city limits of Mount Vernon. The rail line traverses northwesterly through farmland and through the city of Fredericktown to the end of CSXT's track near State Route 95. The right-of-way varies between 20 and 100 feet from the centerline of track. This line is not located within any historic districts in Knox County, Ohio.

- (3) **Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Bridge #573 is a 138 ft. Thru Plate Girder bridge that crosses the North Branch of the Kokosing River, near Mt. Vernon,

Ohio. Photographs of Bridge #573 are included as Attachments 5, 6 & 7. Also included are representative views of the rail line itself (see Attachments 8 thru 14.) Aerial images delineating the project area with a heavy black and white diagonal line are included as Attachment 15.

- (4) **The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Bridge No. 573 was built in 1909 by the Baltimore and Ohio Railroad Company.

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

The property for this rail line was acquired by the Columbus and Lake Erie Railroad Company (CL&E) between 1848 and 1850. The CL&E consolidated with the Mansfield & Sandusky City Railroad Company and the Huron & Oxford Railroad Company, and was known as the Sandusky, Mansfield and Newark Railroad Company. The SM&N was acquired by the Baltimore and Ohio Railroad Company.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie System Railroads was adopted as the new corporate identity for the C&O, B&O, and WM railroads. On November 1, 1980, Seaboard Coast Line Industries, Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (6) **A brief summary of documents in the carrier's possession, such as engineering drawings, which might be useful in documenting a structure that is found to be historic:**

Engineering Sketches and Valuation Maps,
Office of Chief Engineer, Jacksonville, FL.

- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

A review of our records indicates there is one CSXT-owned structure over 50 years old on this line segment that is potentially eligible for listing in the National Register.

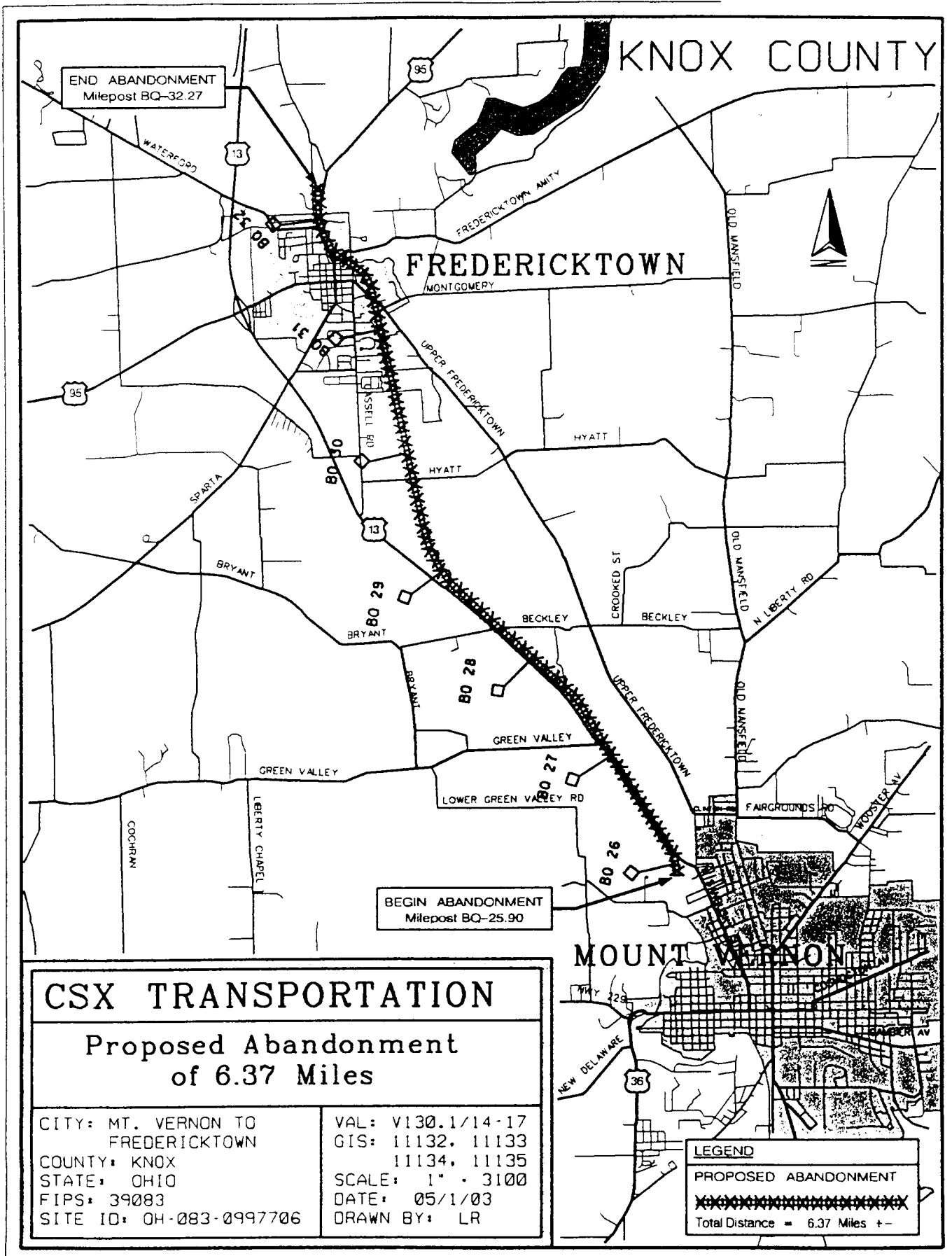
We do not know of any significance or uniqueness to this structure that would warrant your consideration, since to our knowledge, it is not associated with any event that has made a contribution to the broad patterns of history; or was not associated with lives of persons significant to our past; does not embody the distinctive characteristics of a type, period or method of construction and does not represent a significant and distinguishable entity whose component may lack individual distinction and has not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy**

conditions or the presence of toxic wastes), and the surrounding terrain.

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.





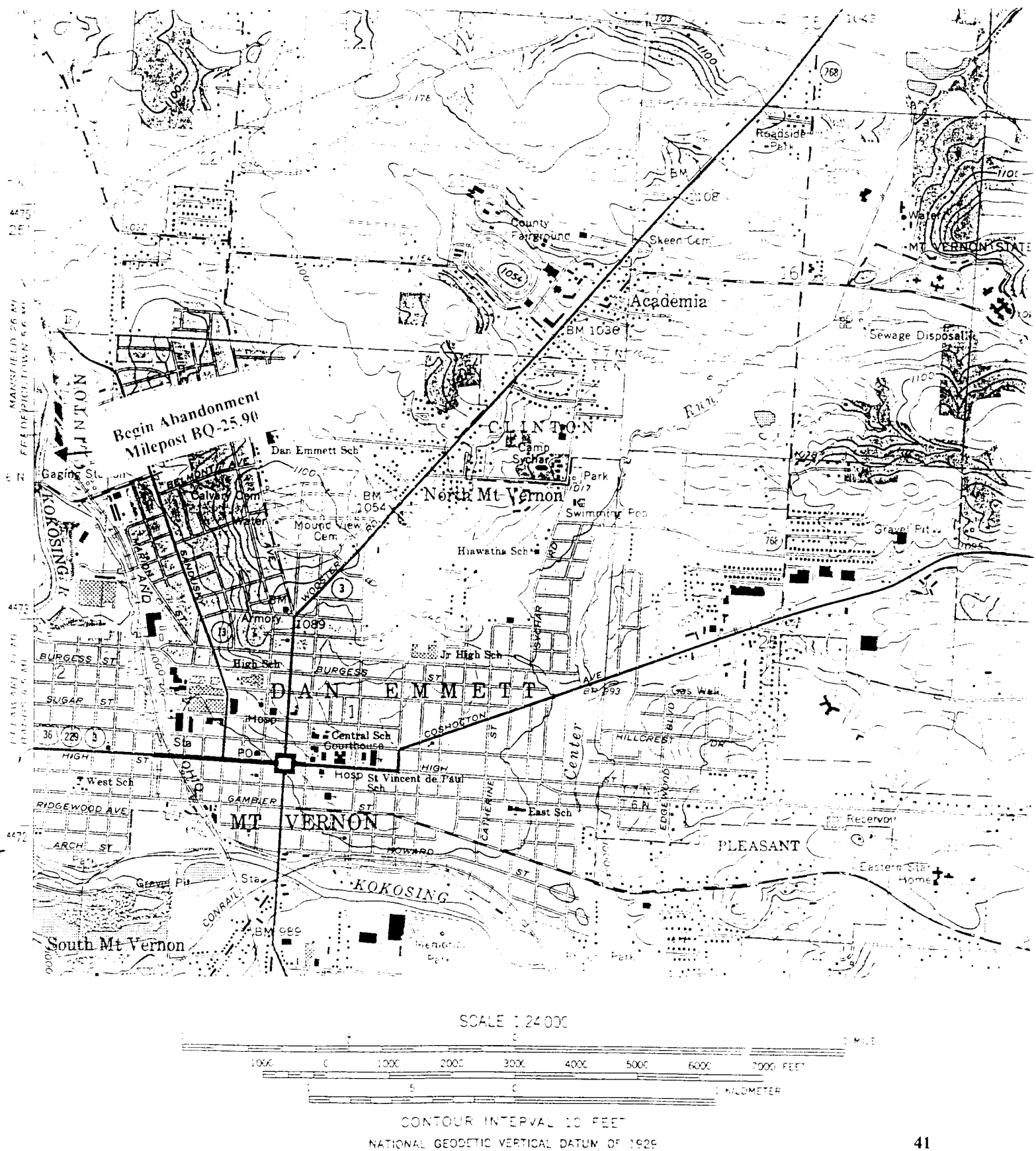
AREA MAP
STATE OF OHIO

PROPOSED ABANDONMENT - 6.37 MILES
KNOX COUNTY
MOUNT VERNON TO FREDERICKTOWN, OH

MIDWEST REGION - LOUISVILLE DIVISION - LAKE ERIE SUBDIVISION

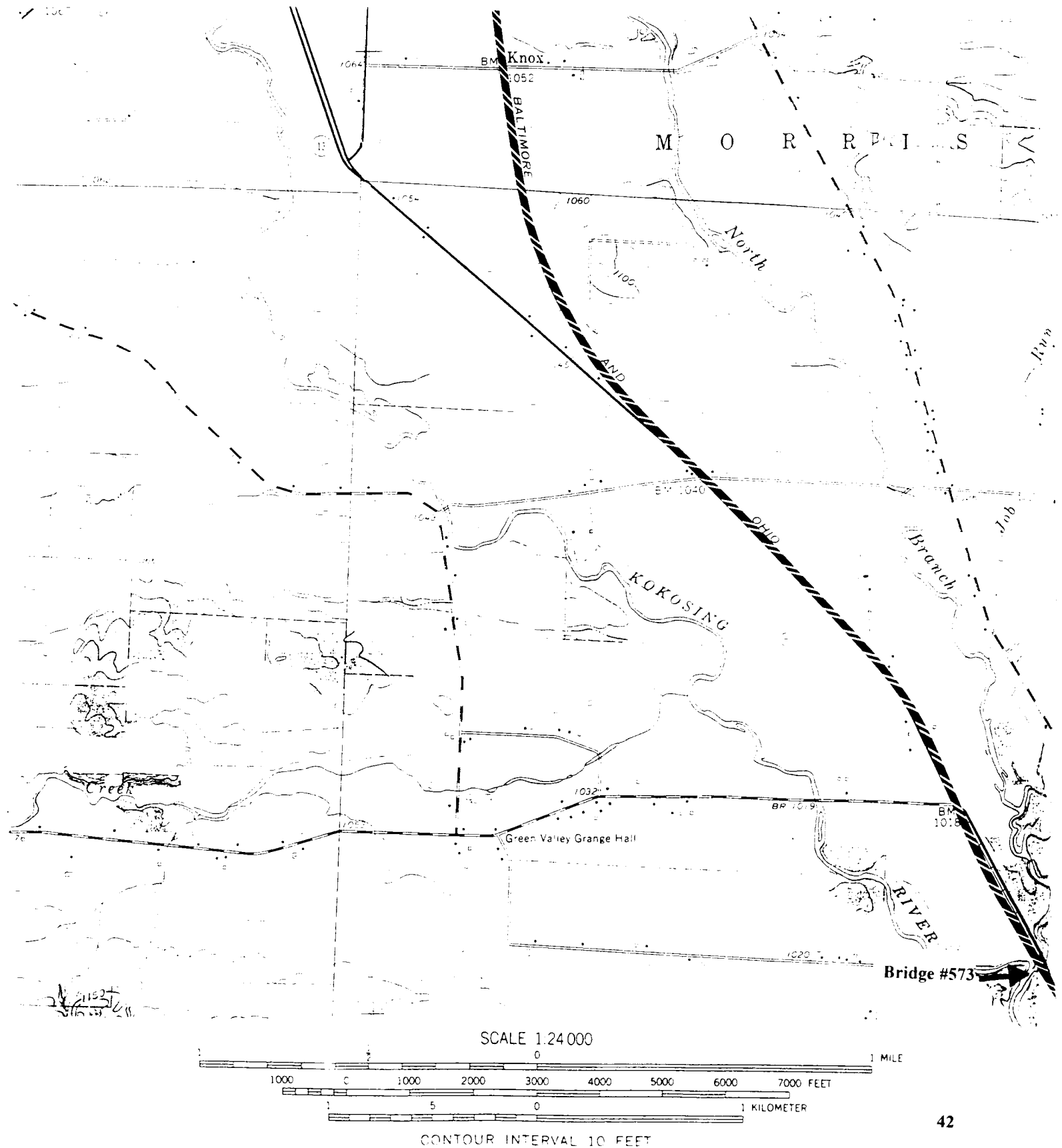
U.S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

Mt. Vernon Quadrangle
Ohio-Knox Co.
1961 (Photorevised 1982)
Page 1 of 1



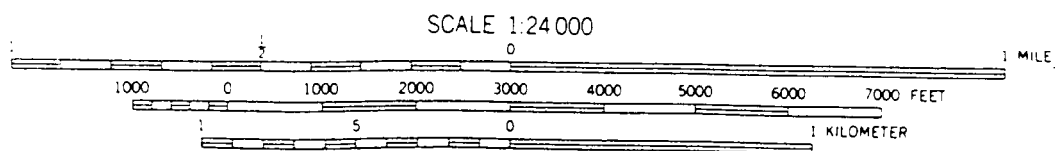
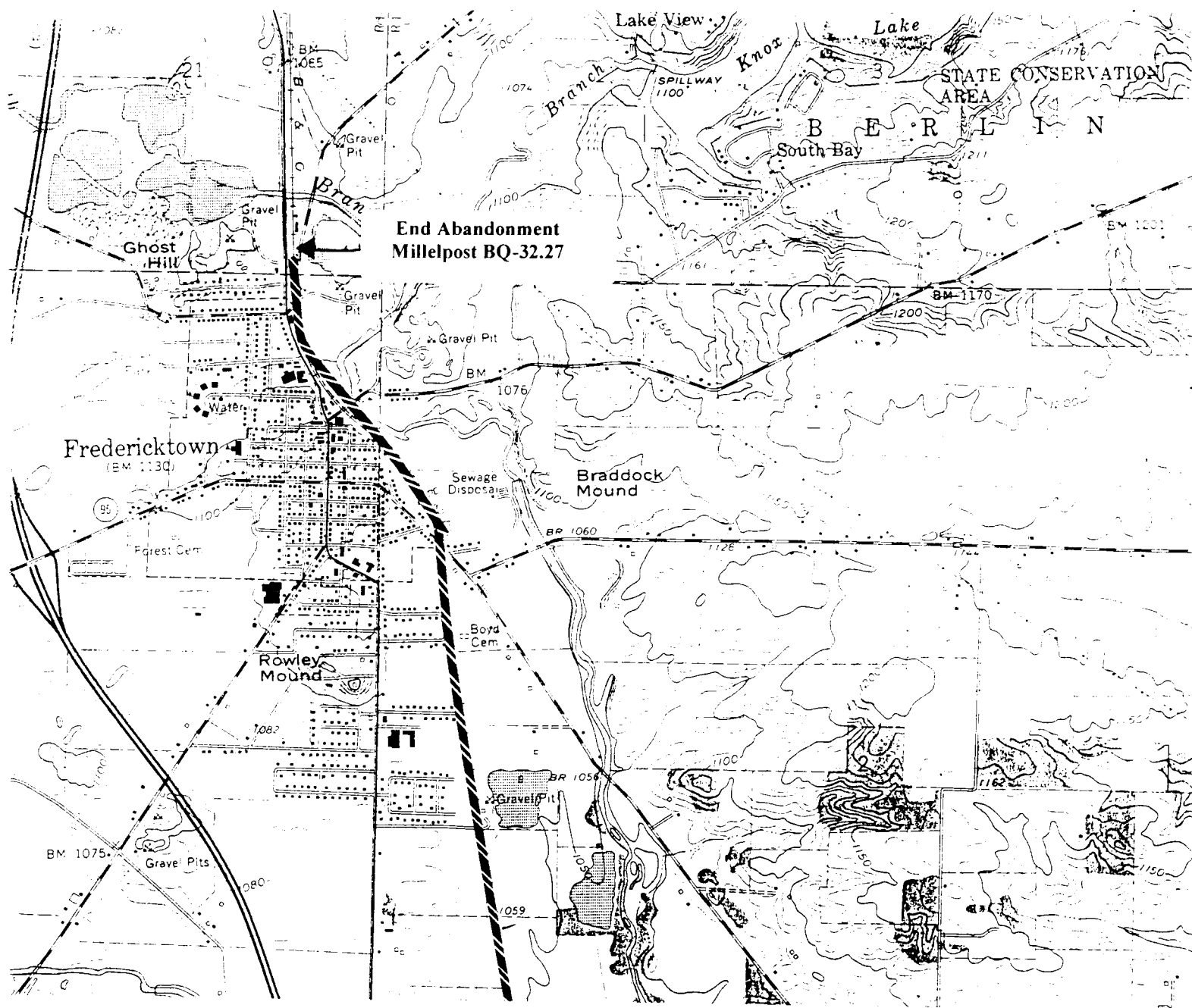
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

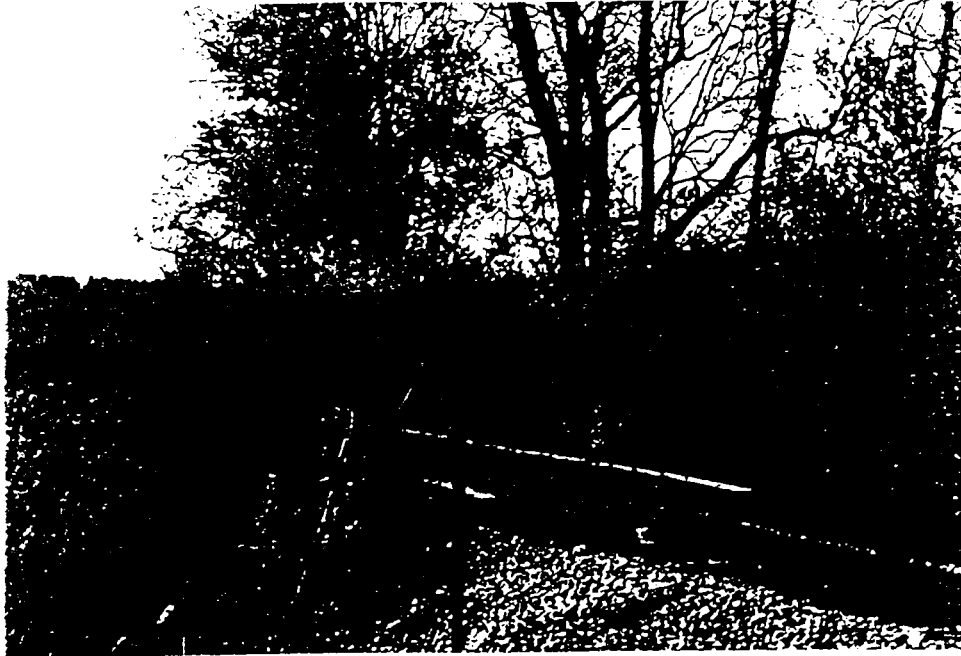
Fredericktown Quadrangle
Ohio-Knox Co.
1961 (Photorevised 1974)
Page 1 of 2



U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

Fredericktown Quadrangle
Ohio-Knox Co.
1961 (Photorevised 1974)
Page 2 of 2





Milepost BQ-26.6 - Bridge No. 573
138 ft. Thru Plate Girder - Built 1909
Mt. Vernon, Ohio



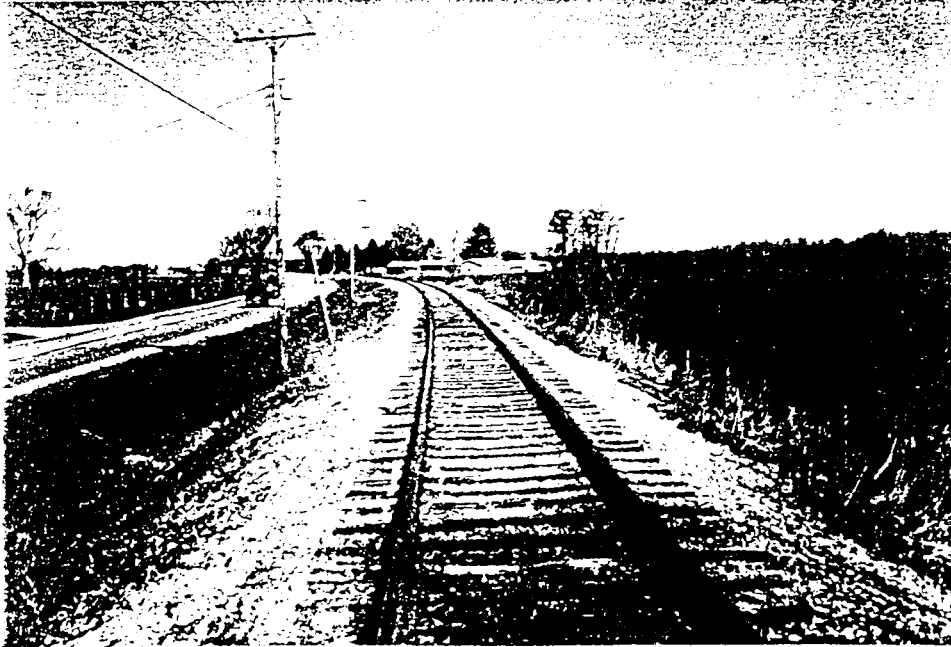
Milepost BQ-26.6 - Bridge No. 573
138 ft. Thru Plate Girder - Built 1909
Mt. Vernon, Ohio



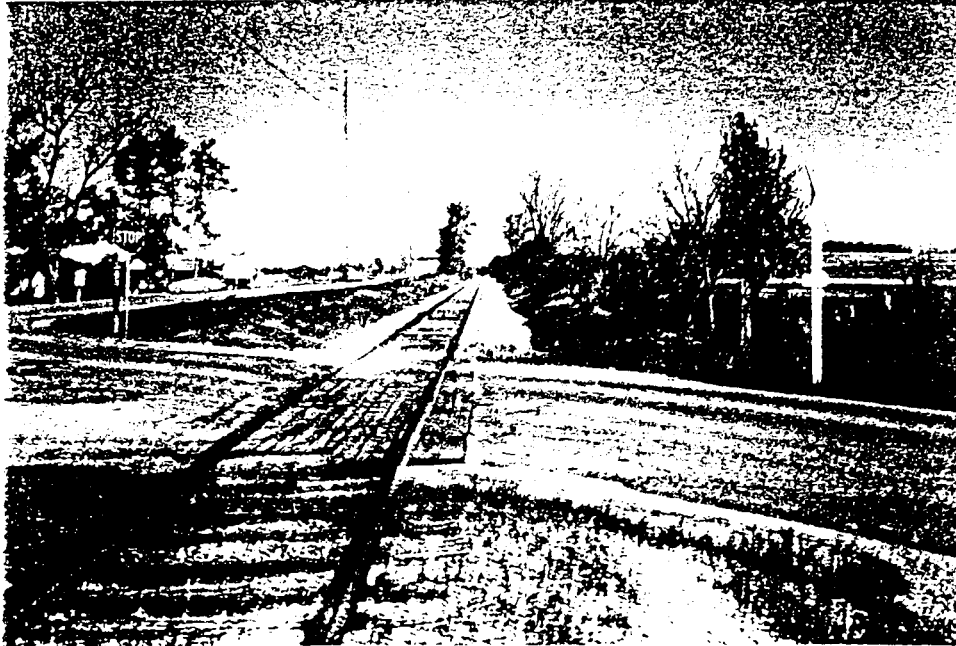
Milepost BQ-26.6 - Bridge No. 573
138 ft. Thru Plate Girder - Built 1909
Mt. Vernon, Ohio



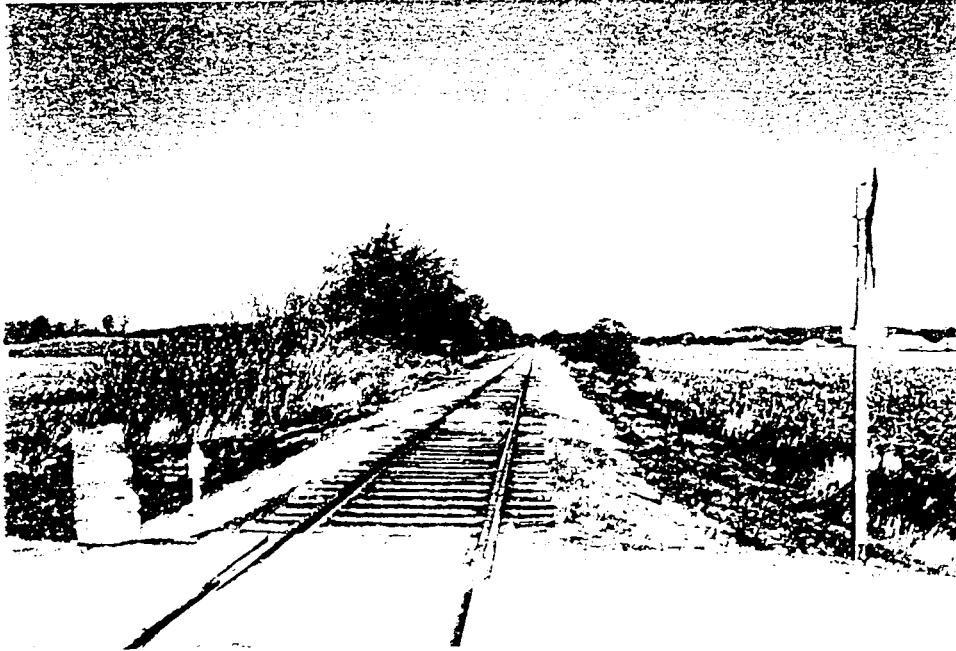
Milepost BQ-26.14 – Looking North
Mt. Vernon, Ohio



Milepost BQ-27.37 – Looking North
Mt. Vernon, Ohio



Milepost BQ-28.36 – Looking North
Fredericktown, Ohio



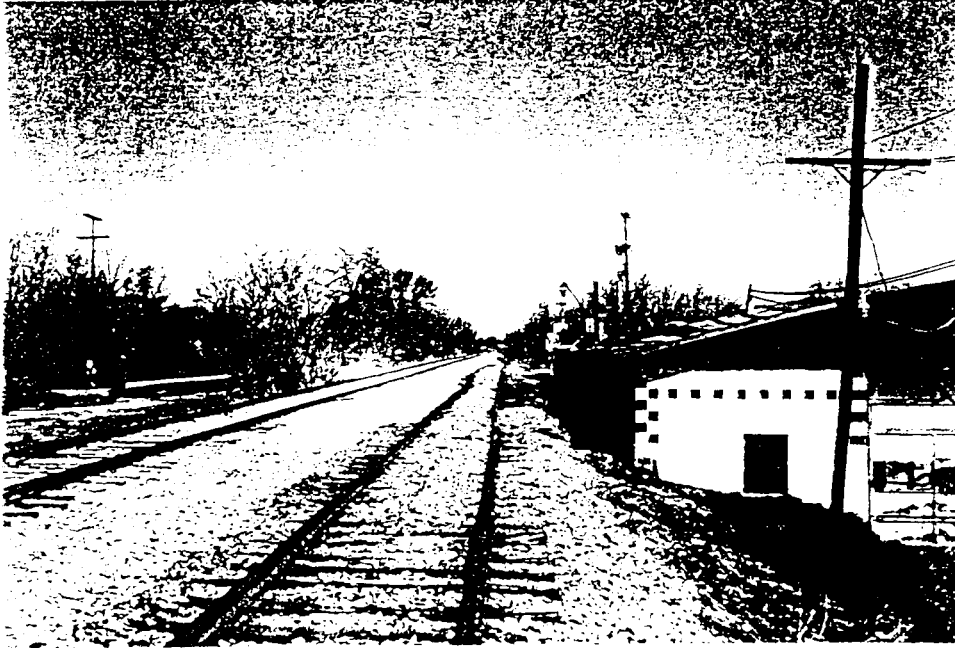
Milepost BQ-29.8 – Looking North
Fredericktown, Ohio



Milepost BQ-31.25 – Looking North
Fredericktown, Ohio



Milepost BQ-31.72 – Looking North
Fredericktown, Ohio



Milepost BQ-32.0 – Looking North
Fredericktown, Ohio

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USGS 3 km NW of Mount Vernon, Ohio, United States 22 Apr 1994



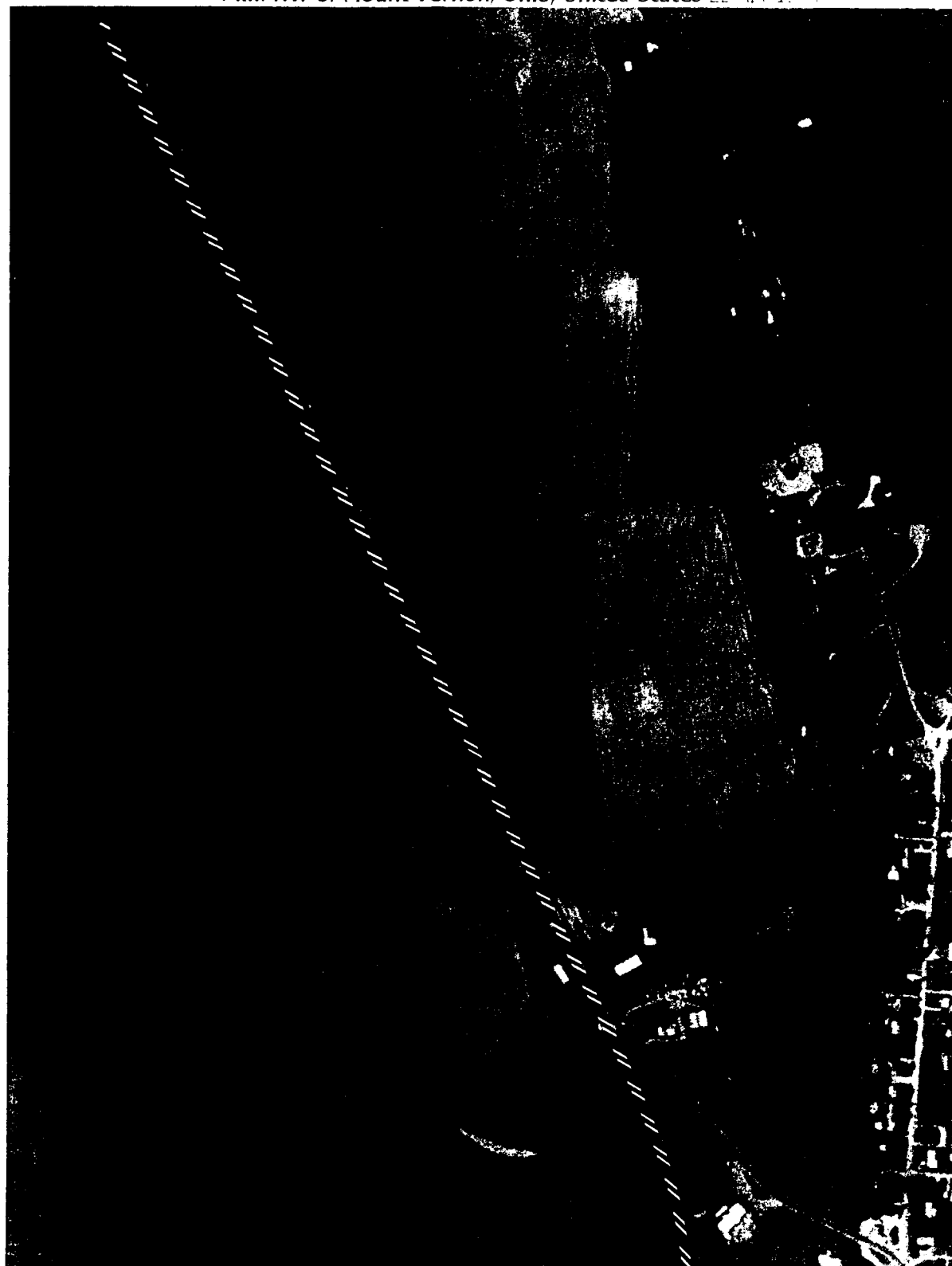
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Image courtesy of the U.S. Geological Survey

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USGS 4 km NW of Mount Vernon, Ohio, United States 21 Apr 1994



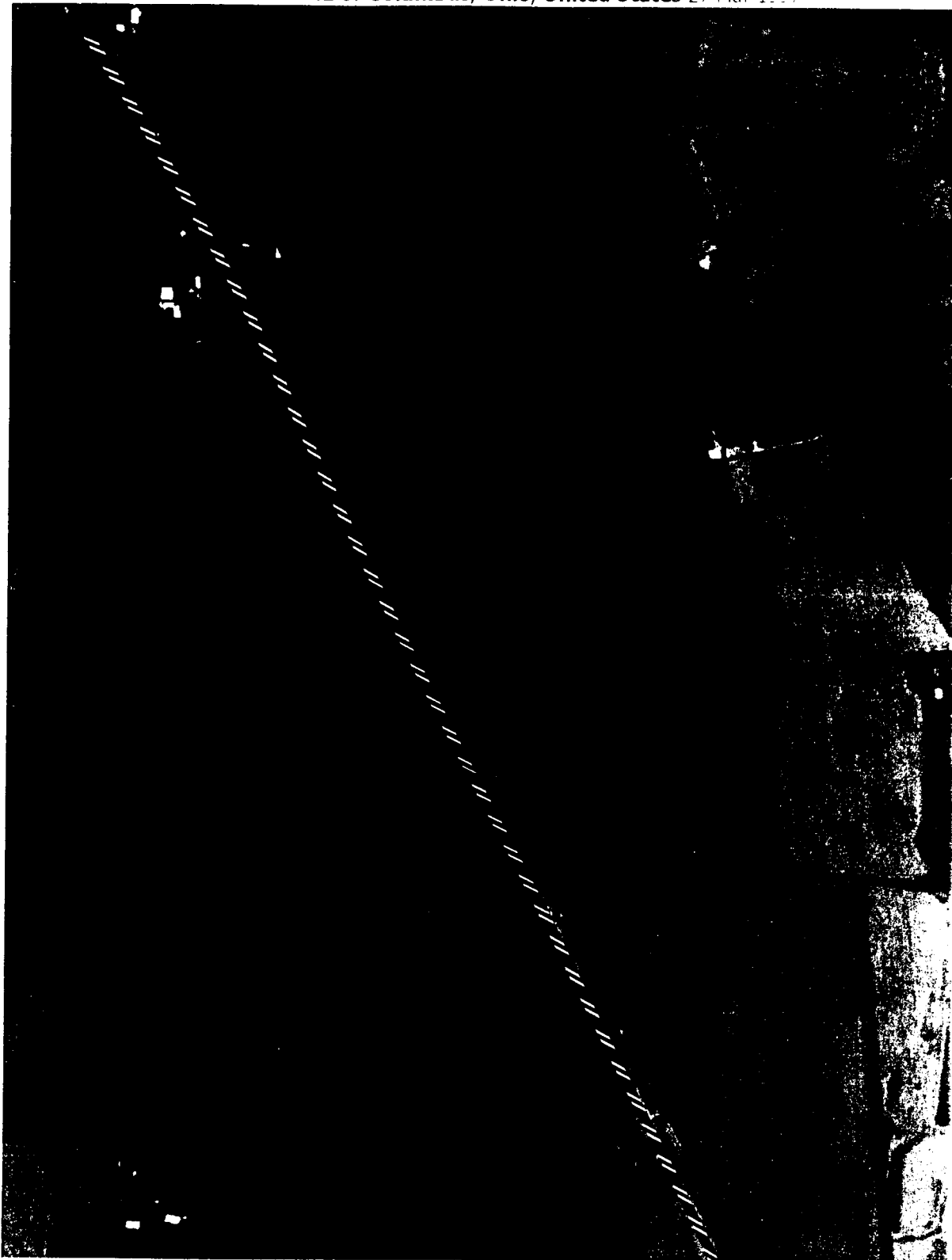
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USGS 67 km NE of Columbus, Ohio, United States 27 Mar 1997



0 200M

0 200yd

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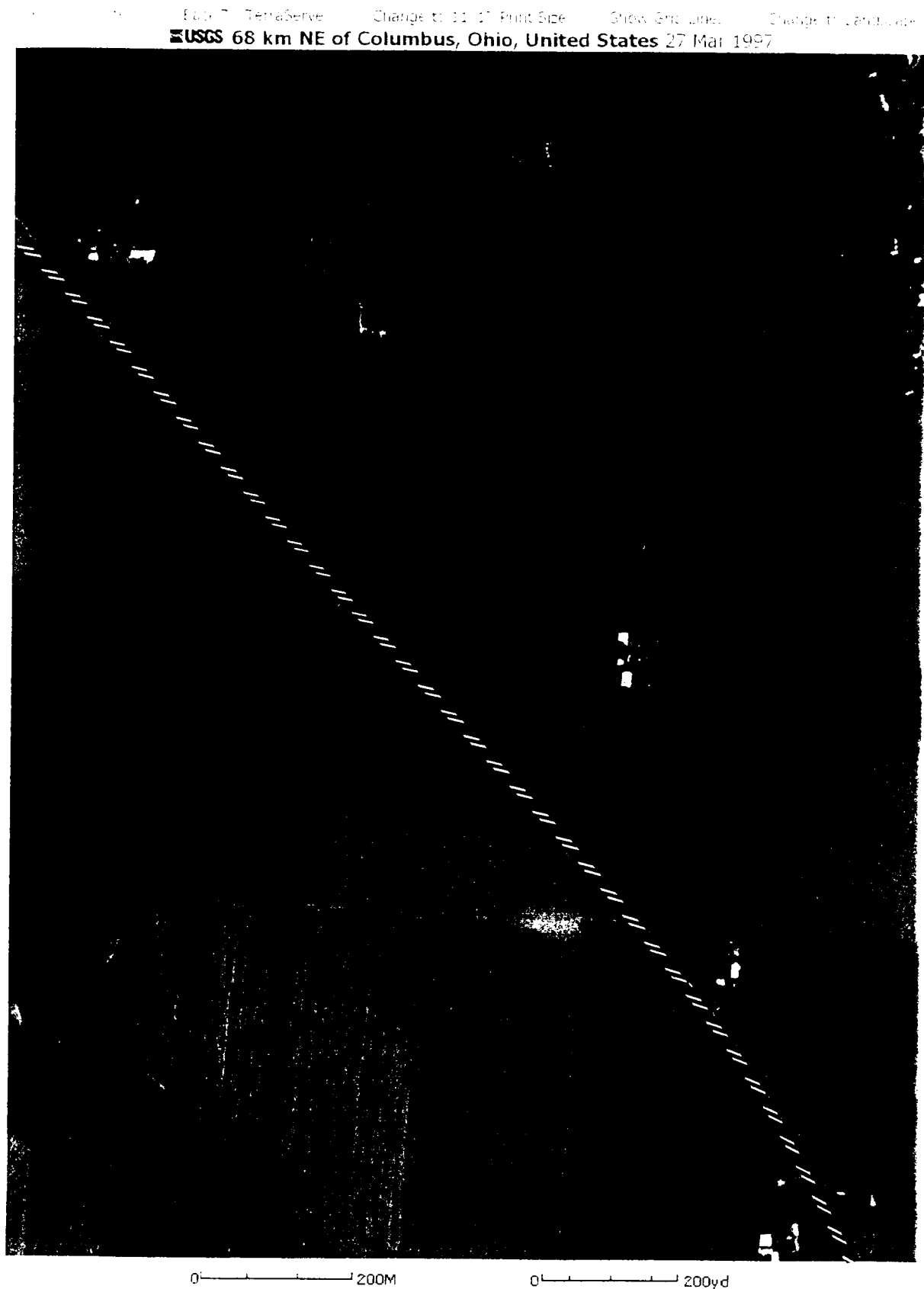


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USGS 69 km NE of Columbus, Ohio, United States 27 Mar 1997



0 0.5Km

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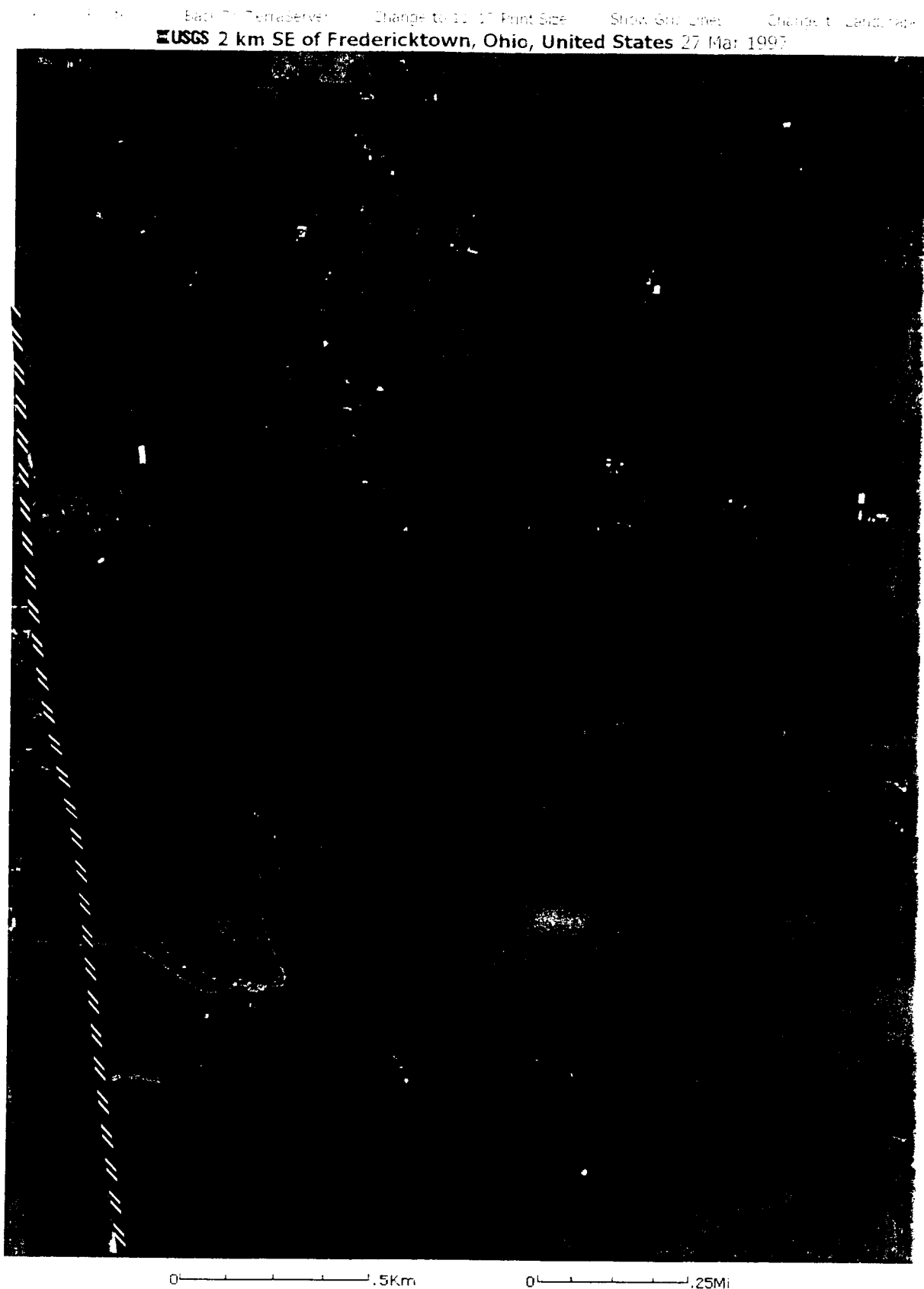
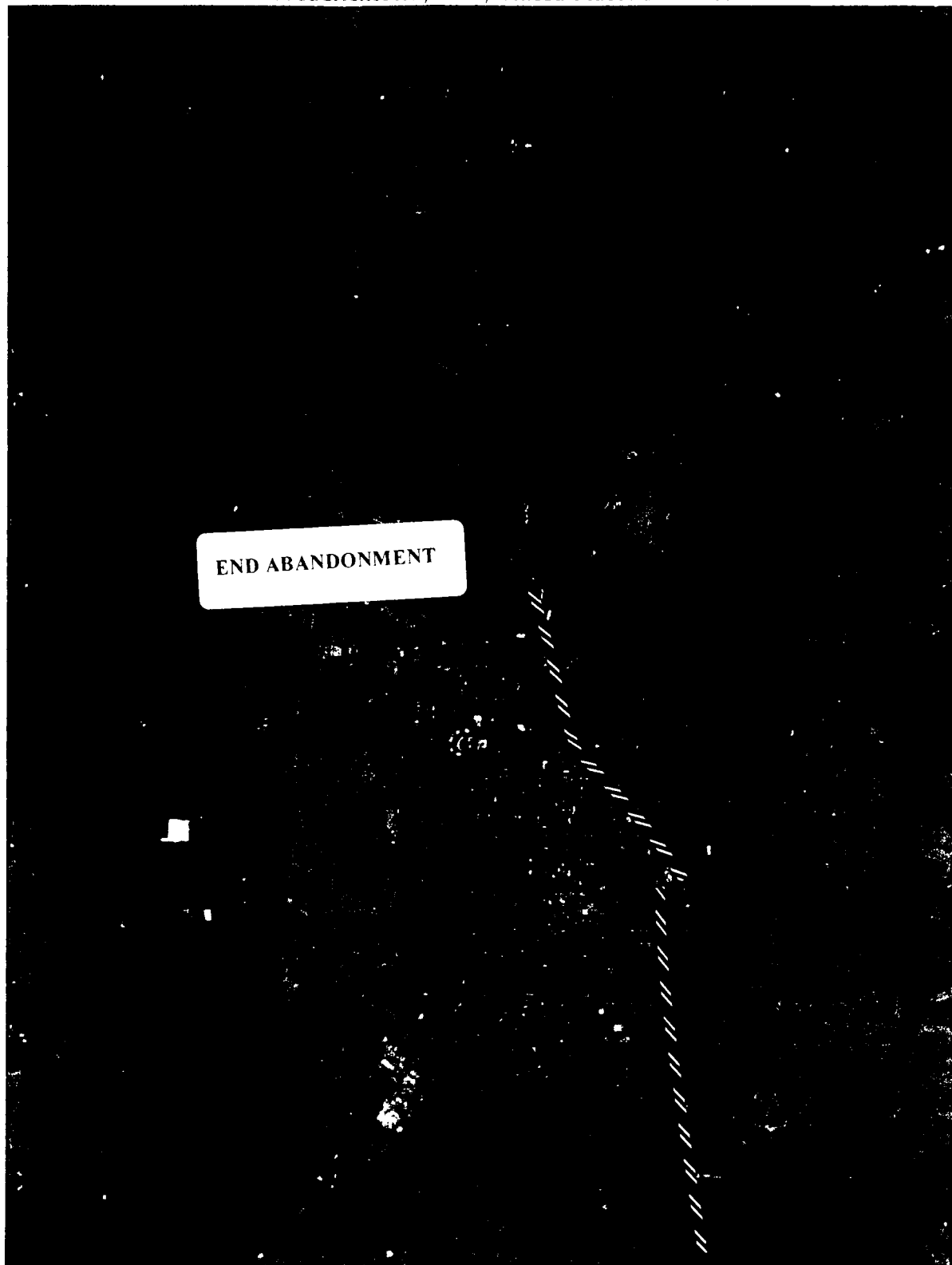


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 **USGS** Fredericktown, Ohio, United States 27 Mar 1997



0 1Km

0 1.5Mi

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Heidi VanHorn-Bash
Director - Asset Management

500 Water Street - J-200
Jacksonville, FL 32202
Tel. (904) 359-2409
Fax (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@CSX.com

May 7, 2003

Mr. Mark Epstein, Department Head
Resource Protection and Review
State Historic Preservation Officer
The Ohio Historical Society
567 East Hudson Street
Columbus, OH 43211-1030

RE: MOUNT VERNON TO FREDERICKTOWN, KNOX COUNTY, OHIO
CSX Transportation, Inc. - Proposed Abandonment
Docket No. AB-55 (Sub-No. 638X)

Dear Mr. Epstein:

Please be advised that CSX Transportation, Inc., ("CSXT") anticipates filing for abandonment of approximately 6.37 miles its rail line between Mount Vernon and Fredericktown, Knox County, Ohio, as shown in the attached Historic Report.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

I would appreciate it if you could confirm in writing that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:
Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW - Suite 534
Washington, DC 20423-0001

Ms. Natalie S. Rosenberg, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R 1105.11

In accordance with 49 C.F.R. § 1105.7(b), I hereby certify that on June 6, 2003, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Mr. Robert S. Wise, Commissioner
Knox County Commissioners
117 East High Street, Suite 161
Mount Vernon, OH 43050

The Honorable Richard K. Mavis
Mayor of Mount Vernon
40 Public Square - Suite 206
Mount Vernon, Ohio 43050-3241

U. S. Environmental Protection Agency, Region 5
77 West Jackson Blvd.
Chicago, IL 60604-3507

State of Ohio Environmental Protection Agency
Central District Office
3232 Alum Creek Drive
Columbus, Ohio 43207-3417

Ms. Kimberly Courts-Brown
Acting Chief, North Reg. Section
U. S. Army Corps of Engineers
502 Eighth Street
Huntington, WV 25701-2070

Ms. Mary M. Knapp, Supervisor
U.S. Department of the Interior
Fish & Wildlife Service
6950-H Americana Parkway - Suite H
Reynoldsburg, OH 43068-4127

Mr. Doug Gifford
District Conservationist
Natural Resources Conservation Service
Mount Vernon Service Center
1025 Harcourt Road
Mount Vernon, Ohio 43050-4410

Mr. Edward J. McKay
Chief Spatial Reference System Division
DOC/NOAA
National Geodetic Survey N/NGS2
1315 East West Highway, Room 8813
Silver Spring, MD 20910-3282

Midwest Region
Regional Director
National Park Service
1709 Jackson Street
Omaha, NE 68102

Mr. Erin Pekar
Ohio Dept. of Natural Resources
Office of Real Estate & Land Management
1952 Belcher Drive - Building C-4
Columbus, OH 43224-1386

Mr. Louis A. Jannazo, Bureau Chief of Rail Planners
Ohio Department of Transportation
Ohio Rail Development Commission
Lincoln-LeVeque Tower
50 W. Broad Street - 15th Floor
Columbus, OH 43215

In accordance with 49 C.F.R. 1105.8(c), I hereby
certify that on May 7, 2003, a copy of the Historic Report was
served upon the below listed party, by first-class mail, postage
prepaid:

Mr. Mark Epstein, Department Head
Resource Protection and Review
State Historic Preservation Officer
The Ohio Historical Society
567 East Hudson Street
Columbus, OH 43211-1030


Natalie S. Rosenberg

July 11, 2003

June 5, 2003

Ms. Natalie Rosenberg – J150

**RE: OH-123C – CSXT Proposed Abandonment and Discontinuance of Service,
Midwest Region, Louisville Division, Lake Erie Subdivision,
between milepost BQ 25.90 and BQ 32.27, a distance of 6.37 miles
from Mt. Vernon to Fredericktown, Knox County, OH
CSXT Docket No. AB-55 (Sub-No. 638X)**

In preparation for filing a Petition for Exemption on the above-referenced line segment, listed below are the carloads handled over the line for the years 2001, 2002, and 2003 (January through May):

<u>PATRON</u>	<u>STATION</u>	<u>CARLOADS COMMODITY</u>	<u>2001</u>	<u>2002</u>	<u>2003 (Jan- May)</u>
B&B Farm Service Mr. Jim Boyd 10370 Sparta Road P.O. Box 118 Fredericktown, OH 43019 (740) 694-3901	Fredericktown	fertilizer	49	36	22
Rural Farm Distributors Mr. Donald Clark P. O. Box 145 Fredericktown, OH 43019 (740) 694-3070	Fredericktown	fertilizer	37	40	27

Both **B&B Farm Service** and **Rural Farm Distributing** operate farm supply businesses that sell fertilizer to consumers in the Fredericktown area. These patrons received 86 inbound carloads in 2001 and 76 inbound carloads in 2002. Shipments for 2003 appear to be on the same pace as the previous years.

Alternative transportation options available to these customers comprise mostly of utilizing motor carriers. State Road 3 runs through Fredericktown, and Interstate 71 is approximately 15 miles away via State Road 95. There are no railroad team tracks in the vicinity of Fredericktown. However, CSX is currently making inquiries with local groups in Mt. Vernon, Ohio, to see about the possibility of establishing a transload site for these customers.

There are no defense installations served by this line or in the immediate vicinity.


Heidi D. Bash
Director Asset Management

CSX Transportation, Inc.
Line Segment: Fredericktown, OH

	Base Year ending March 31, 2003	Forecast Year beginning July 1, 2003	Subsidy Year ending June 30, 2004
	87 CL	87 CL	87 CL
Revenues Attributable			
1. Freight Originated &/or Terminated On Branch	\$151,005	\$157,045	\$157,045
2. Bridge Traffic	-0-	-0-	-0-
3. All Other Revenue and Income	4,345	4,345	4,345
4. Total Revenues Attributable (Lines 1 thru 3)	\$155,350	\$161,390	\$161,390
Avoidable Costs			
5. Total On-Branch Costs (Lines 5a thru 5k)	\$53,640	\$54,066	\$54,066
a. Maintenance of Way and Structures	35,000	35,000	35,000
b. Maintenance of Equipment - Locomotives	2,744	2,804	2,804
c. Transportation	11,471	11,815	11,815
d. Joint Facilities	-0-	-0-	-0-
e. Deadheading, Taxi and Hotel	-0-	-0-	-0-
f. Overhead Movement	-0-	-0-	-0-
g. Freight Car Costs (o/t Return on Freight Cars)	600	621	621
h. Return on Value - Locomotives	3,459	3,459	3,459
i. Return on Value - Freight Cars	366	366	366
j. Revenue Taxes	-0-	-0-	-0-
k. Property Taxes	-0-	-0-	-0-
6. Total Off-Branch Costs (Lines 6a and 6b)	\$94,052	\$97,305	\$97,305
a. Off-Branch Costs (o/t Return on Freight Cars)	91,512	94,765	94,765
b. Return on Value - Freight Cars	2,540	2,540	2,540
7. Total Avoidable Costs (Lines 5 and 6)	\$147,692	\$151,371	\$151,371
Subsidization Costs			
8. Rehabilitation	xxxx	xxxx	\$0
9. Administration Costs (1%)	xxxx	xxxx	0
10. Casualty Reserve Account	xxxx	xxxx	-0-
11. Total Subsidization Costs (Lines 8 thru 10)	xxxx	xxxx	\$0
Return on Value			
12. Valuation of Property (Lines 12a thru 12c)	xxxx	\$101,248	\$101,248
a. Working Capital	xxxx	1,991	1,991
b. Income Tax Consequences	xxxx	(58,294)	(58,294)
c. Net Liquidation Value	xxxx	157,552	157,552
13. Nominal Rate of Return	xxxx	14.0%	14.0%
14. Nominal Return on Value (Line 12 * Line 13)	xxxx	14,175	14,175
15. Holding Gain (Loss) 1.70%	xxxx	2,678	2,678
16. Total Return on Value (Line 14 less Line 15)	xxxx	\$11,496	\$11,496
17. Avoidable Loss from Operations (Line 7 less Line 4)	(\$7,658)	(\$10,019)	(\$10,019)
18. Estimated Forecast Year Loss from Operations (Lines 7 and 16 less Line 4)		\$1,477	
19. Estimated Subsidy Year Loss from Operations (Lines 7, 11, and 16 less Line 4)			\$1,477

CSX Transportation, Inc.
Line Segment: Fredericktown, OH

Notes to Exhibit 1:

*	Base Year	Analysis covers two patrons located in Fredericktown, OH. They are B B Farm Fertilizer and Rural Farm Distributing.
	Carloads	All three periods reflect carloads actually moving in the base year period. The O/T carloads include traffic originated or terminated by CSXT for patrons included in study.
Line 1	Freight Revenues	Base year = total CSXT waybill revenues; Forecast year = Base year revenues with potential increase (4.0%) as identified by CSXT marketing personnel; Subsidy year = Forecast year
Line 3	All Other Revenue and Income	Switch revenue
Line 5	Avoidable On-branch Costs	Costs for base year are based on year 2002 unit costs and reflect indexing adjustments. The forecast year and subsidy year costs reflect indexing adjustments.
Line 5a	Maintenance of Way & Structures	Maintenance expenses are estimated at \$5000 per mile per year.
Lines 5g & 5i	On-branch Car Costs	Standard on-branch car cost calculation using year 2002 unit costs for the base year including indexing factors. Forecast year and subsidy year periods reflect indexing factors.
Line 6	Off-branch Costs	CSXT 2001 URCS indexed to the base year, forecast year, and subsidy year periods.
Line 12	Valuation of Property	The net liquidation value is based on an average land value of \$21,800 per mile (\$152,600) and net salvage value of track provided by CSXT Engineering Department (\$4,952). Income tax consequences are calculated at 37% of land and re-sale track values.

B. & B. Farm Services Inc.
P.O. Box 118
Fredericktown, Ohio 43019

July 07, 2003

Ms. Heidi Bash
Director- Asset Management
CSX Transportation
500 Water Street, J200
Jacksonville, Florida 32202

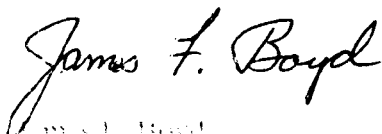
Dear Ms. Bash:

B & B Farm Service Inc. has been advised that CSX Transportation intends to seek approval from the Surface Transportation Board to abandon a portion of its line on the Lake Erie Subdivision from Mt. Vernon to Fredericktown, Ohio, which serves our facility.

Since we worked out an agreement with CSX Transportation concerning the termination of service once abandonment authority is obtained, B & B Farm Service Inc. accordingly, will not oppose the abandonment of the described above.

We understand that you may submit this letter to the Surface Transportation Board as part of the proceedings on the proposed abandonment.

Sincerely,

A handwritten signature in black ink that reads "James F. Boyd". The signature is written in a cursive, flowing style.

James F. Boyd
B & B Farm Service

Exhibit H

Rural Farm Distributors
P.O. Box 145
Fredericktown, Ohio 43019

July 9, 2003

Ms. Heidi Bash
Director-Asset Management
CAXT Transportation
500 Water Street, J200
Jacksonville, Florida 32202

Dear Ms. Bash:

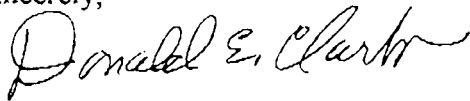
Rural Farm Distributors has been advised that CSX Transportation intends to seek approval from the Surface Transportation Board to abandon a portion of its line on the Lake Erie Subdivision from Mt. Vernon to Fredericktown, Ohio, which serves our facility.

Rural Farm Distributors would want the rights from State Route 95 North or East from who ever has the interest, be it the County or Rail Banking for future use so Rural Farm Distributors can continue Business.

Since we worked out an agreement with CSX Transportation concerning the termination of service once abandonment as described above.

We understand that you may submit this letter to the Surface Transportation Board as part of the proceedings on the proposed abandonment.

Sincerely,



Donald E. Clark
CEO

CERTIFICATE OF SERVICE

I certify that on July 11, 2003, I served by first-class mail, postage prepaid, a copy of the foregoing Petition for Exemption on the following:

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

National Park Service
Recreation Resources Division
P. O. Box 37127
Washington, D.C. 20013

National Park Service
Land Resources Division
1849 C Street NW
Washington, D.C. 20240-0001

U. S. Department of Agriculture
Chief of the Forest Service
1849 C Street NW
Washington, D.C. 20240-0001

Alan R. Schriber, Chairman
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, Ohio 43215-3793

B&B Farm Service
Attn: Mr. Jim Boyd
10370 Sparta Road
P.O. Box 118
Fredericktown, Ohio 43019

Rural Farm Distributors
Attn: Mr. Donald Clark
P.O. Box 145
Fredericktown, Ohio 43019

