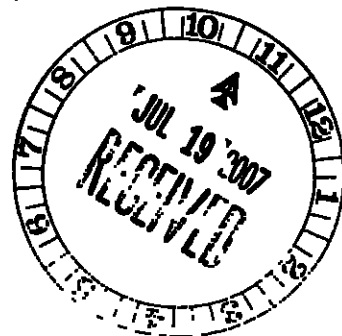




Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

2 19795



James R. Paschall
Senior General Attorney

Direct Dial Number -
(757) 629-2759
fax (757) 533-4872

FEE RECEIVED

JUL 19 2007

**SURFACE
TRANSPORTATION BOARD** July 17, 2007

via DHL Express

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S W
Washington, DC 20423

ENTERED
Office of Proceedings

JUL 19 2007

Part of
Public Record

Re STB Docket No AB-290 (Sub-No 293X), Norfolk Southern Railway
Company - Abandonment - Petition for Exemption
Norfolk and Virginia Beach, Virginia

Dear Mr. Williams

Enclosed for filing with the Board in the subject docket is an original and ten copies of Norfolk Southern Railway Company's (NSR) Petition for Exemption to abandon a railroad line in the subject proceeding. Also, enclosed is a check for the filing fee and three diskettes in a format that is compatible with the Board's word processing programs.

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

Yours very truly,

James R. Paschall

Enclosures

FILED

JUL 19 2007

**SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO AB-290 (SUB-NO 293X)
NORFOLK SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
NORFOLK AND VIRGINIA BEACH, VIRGINIA
PETITION FOR EXEMPTION

ENTERED
Office of Proceedings

JUL 19 2007

Part of
Public Record

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
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(757) 629-2759
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Attorney for
Norfolk Southern Railway Company

Dated July 17, 2007

FEE RECEIVED

JUL 19 2007

**SURFACE
TRANSPORTATION BOARD**

FILED

JUL 19 2007

**SURFACE
TRANSPORTATION BOARD**

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No AB-290 (Sub-No 293X)

Norfolk Southern Railway Company

- Abandonment Exemption -

Norfolk and Virginia Beach, Virginia

Petition for Exemption

Norfolk Southern Railway Company ("NSR") hereby petitions the Surface Transportation Board (the "Board" or "STB"), pursuant to the provisions of 49 U S C 10502, as amended, for exemption from the prior approval requirements of 49 U S C. 10903 to abandon 15 34 miles of railroad line between Mileposts VB 0 12 in Norfolk and VB 15 46 in Virginia Beach, VA (the "Line")

Section 10502 of Title 49, as amended, directs the Board to exempt a transaction when the Board finds that the transaction satisfies certain statutory criteria This petition demonstrates that the abandonment for which NSR seeks exemption satisfies the statutory criteria

Background

Norfolk Southern Railway Company (NSR) proposes to abandon 15.34 miles of rail line between milepost VB-0 12 at a point near Park Avenue in Norfolk, Virginia and VB-15 46 at a point near Birdneck Road at the railroad's Oldfield station in Virginia Beach, Virginia. The Line proposed for abandonment, has been dormant for about five years, except for the movement of about one car per month on the segment of the Line between milepost VB-0 12 and VB-1 75 until August, 2006.

Service on the portion of the Line between Milepost VB-1 75 and Milepost VB-15 46 was discontinued effective December 30, 2004 pursuant to a notice of exemption in *Norfolk Southern Railway Company – Discontinuance of Service Exemption – In Norfolk and Virginia Beach, VA*, STB Docket No. AB-290 (Sub-No. 258X) (STB served November 30, 2004). Service on the remaining portion of the Line between Milepost VB-0 12 and Milepost VB-1 75 was discontinued effective August 6, 2006 pursuant to the STB decision in *Norfolk Southern Railway Company – Discontinuance of Rail Service- Petition for Exemption – In Norfolk and Virginia Beach, VA*, STB Docket No. AB-290 (Sub-No. 269X) (STB served July 7, 2006).

The segment of the Line located within the City of Norfolk, between Milepost VB-4 8 and its western terminus at Milepost-VB 0 12, is the subject of a Purchase and Sale Agreement pursuant to which the City of Norfolk would acquire the right-of-way and track and materials for use as a public transit corridor after consummation of the Line's abandonment. No salvage would occur on the Norfolk segment, as the City plans to acquire that segment of the Line with track, bridges and other improvements intact.

Immediate salvage of the track and materials on the remainder of the Line between Milepost VB-4 8 and its eastern terminus at Milepost VB-15 46 may be deferred until more definite plans for future use of the property are made

Further Information

Further information supporting an exemption for the proposed abandonment is as follows

- (1) Exact name of petitioner The petitioner is Norfolk Southern Railway Company (NSR) NSR operates a railroad system in 20 States throughout the Eastern United States, including New York, and in Ontario, Canada NSR is a wholly-owned subsidiary of Norfolk Southern Corporation, a non-carrier
- (2) Petitioner is a common carrier by railroad subject to 49 U S C Subtitle IV, Chapter 105
- (3) Pursuant to 49 U S C 10502, the relief sought by petitioner is an exemption from the prior approval requirements of 49 U S C 10903 so that NSR may abandon the Line without being required to list the Line on its system diagram map or to submit a full long-form abandonment application
- (4) A map of the Norfolk – Virginia Beach, VA Line proposed to be abandoned is attached as Exhibit 1
- (5) System Diagram Map This Line has not been included as a rail line to be abandoned or over which service is to be discontinued on the carrier's system diagram map because it was not expected to be the subject of an abandonment application

(6) This petition is being filed because service on the portion of the Line between milepost VB-1 75 and milepost VB-15 46 was discontinued in November 2004 and service on the portion of the Line between milepost VB-0 12 and milepost VB-1 75 was discontinued in August 2006 pursuant to exemptions granted by the Board. Prior to discontinuance of service on the latter segment, the sole customer on it received approximately one car per month. The segment of the Line located within the City of Norfolk, between Milepost VB-4 8 and its western terminus at Milepost-VB 0 12, is the subject of a *Purchase and Sale Agreement* pursuant to which the City of Norfolk would acquire the right-of-way and track and materials for use as a public transit corridor after consummation of the Line's abandonment.

(7) Counsel for Petitioner to whom correspondence may be sent is:

James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

Counsel's Phone Number is (757) 629-2759

(8) The Line proposed for abandonment traverses United States Postal Service Zip Codes 23502, 23504, 23509, 23510, 23451, 23452, 23453, 23454, 23455, 23456, 23457 and 23462, and includes the stations of Park Ave., Tidewater, Glenrock, Greenwich, Euclid, Thalia, Rosemont, Lynnhaven, Oceana Wye, London Bridge and Oldfield.

Reasons for Abandonment

The segment of the Line located within the City of Norfolk, between Milepost VB-4 8 and its western terminus at Milepost-VB 0 12, is the subject of a Purchase and Sale Agreement, pursuant to which the City of Norfolk would acquire the right-of-way and track and materials for use as a public transit corridor after consummation of the Line's abandonment. Immediate salvage of the track and materials on the remainder of the Line between Milepost VB-4 8 and its eastern terminus at Milepost VB-15 46 may be deferred until more definite plans for future use of the property are made.

Efforts to Continue Service and Transportation Alternatives

The abandonment of the subject Line will not result in the loss of rail service to any shippers because service on the Line has been formally discontinued pursuant to exemptions granted by the Board in *Norfolk Southern Railway Company –*

Discontinuance of Service Exemption –In Norfolk and Virginia Beach, VA, STB Docket No. AB-290 (Sub-No. 258X) (STB served November 30, 2004) and Norfolk Southern Railway Company – Discontinuance of Rail Service- Petition for Exemption –In Norfolk and Virginia Beach, VA, STB Docket No. AB-290 (Sub-No. 269X) (STB served July 7, 2006)

Norfolk, Virginia and Virginia Beach Virginia are part of a major metropolitan area (including Portsmouth, VA, Chesapeake, VA and Suffolk, VA) with an extensive transportation network of roads and highways, terminals, overseas and coastwise shipping and railroads. The area is served by numerous general and specialized motor

carriers, including Arthur Transportation Services, Estes Express Lines, Old Dominion Freight Line, Overnite Transportation Co , Roadway Express, Saia Motor Freight Line, Schwerman Trucking Co , Sterling Transport and Webb's Transfer, among others East-West Interstate Highway 264, which in turn is within about two miles of the interchange with Interstate Highway 64, parallels the Line at less than a mile's distance While I-64 is also designated as an east-west highway, it runs generally northwest to southeast in the City of Norfolk Other rail lines and transload facilities also serve the area, including various port facilities

Communities on Line

The communities on the Line are Norfolk, VA (population 237,835, U S Census Bureau, 2004 Population Estimates) and Virginia Beach, VA (population 447,000, U S Census Bureau, 2004 Population Estimates) They are part of a greater metropolitan area that includes among other cities, Portsmouth, VA, Chesapeake, VA and Suffolk VA Norfolk, VA is a major port The Cities and the area will continue to receive rail service and rail-motor transload service at other locations after the abandonment of the subject Line

Public Use, Trail Use, Offers of Financial Assistance

The segment of the Line within the City of Norfolk, between Milepost VB-4 8 and its western terminus at Milepost-VB 0 12, is suitable for other public use, including light rail transit The segment of the Line within the City of Norfolk is the subject of a

Purchase and Sale Agreement pursuant to which the City of Norfolk would acquire the right-of-way and track and materials for use as a public transit corridor after consummation of the Line's abandonment

NSR will not negotiate for an interim trail use agreement for the Line because of planned or potential acquisition of the Line or portions of the Line for public use

There is no traffic on the Line to support its acquisition under the Offer of Financial Assistance procedures, which also would impede or interfere with the proposed acquisition of the Line or portions of the Line for public purposes

Statement Concerning Federally Granted Right of Way

Based on information in NSR's possession, the Line does not contain federally granted right-of-way. Any documentation later found in NSR's possession concerning this matter will be made available promptly to those requesting it.

Title Search

NSR is not aware of any reversionary interest that would affect transfer of title. The right-of-way of the Line is subject to a lease from NSR to Virginia Electric and Power Company (a Dominion Resources, Inc. subsidiary trading under the name Dominion Virginia Power) for the placement and operation of electricity transmission and distribution lines and equipment.

Employee Protection

Since under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a carrier of its statutory obligation to protect the interests of its employees, Norfolk Southern Railway Company is willing, as a condition to the Board granting this exemption, for the Board to order that the employee protective conditions set forth in *Oregon Short Line R Co – Abandonment – Goshen*, 360 I.C.C. 91 (1979), apply to this abandonment transaction

Environmental and Energy Impact; Historical Report

Attached (Exhibit 2) are Environmental and Historic Reports prepared and distributed to the appropriate Federal, State and Local agencies in accordance with the Board's regulations. NSR requests that the Board find that the proposed abandonment and planned subsequent use of the Line will not result in any adverse effect on the environment or on historic places, properties or resources

Passenger Service

There is no passenger service on the Line

Draft Federal Register Notice

NSR attaches a draft notice of its petition to be published by the Board in the Federal Register within 20 days of the petition's filing and three computer discs compatible with the Board's current word processing capabilities with copies of this

petition and the draft notice

Notice

NSR is giving notice to the public agencies required to be served with petitions for exemption to abandon railroad lines by mailing copies of this petition for exemption to those agencies. Several additional governmental agencies have received notice of the petition for exemption through the distribution of the Environmental Report. NSR has arranged for the publication of a newspaper notice concerning the filing of the petition for exemption in Norfolk and Virginia Beach, VA, the only cities through which the Line runs. There are no active rail customers on the Line because of the previous discontinuances of service pursuant to the exemptions from the Board in the dockets referenced above.

Discussion and Authorities

Under 49 U.S.C. 10903, a rail line may not be abandoned without the Board's prior approval. Under 49 U.S.C. 10502, however, the Board must exempt a transaction or service from regulation when they find that (1) continued regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101, and (2) either (a) the transaction or service is of limited scope, or (b) regulation is not necessary to protect shippers from the abuse of market power.

Detailed scrutiny of this transaction under 49 U.S.C. 10903 is not necessary to carry out the rail transportation policy. By minimizing the administrative expense of the

application process, an exemption will reduce regulatory barriers to exit [49 U S C 10101(7)] An exemption will also foster sound economic conditions and encourage efficient management by relieving NSR from the cost of owning and maintaining the Line Other aspects of the rail transportation policy will not be affected adversely by the grant of the exemption

Regulation of the proposed transaction is not necessary to protect shippers from the abuse of market power. The Board previously granted NSR exemptions to discontinue service over the Line. Thus, no current railroad customers will be affected by the abandonment Previous railroad customers have shifted their traffic to motor or rail-motor transload service Given that shippers will not be subject to an abuse of market power, the Board need not determine whether the proposed abandonment is limited in scope

The abandonment of the Line will facilitate the sale of the segment of the Line located within the City of Norfolk, between Milepost VB-4 8 and Milepost VB-0 12 to the City of Norfolk for use as a public transit corridor

Conclusion

Therefore, Norfolk Southern Railway Company, respectfully petitions the Board under 49 U S C 10502, to exempt the abandonment of approximately 15.34 miles of NSR railroad Line between Milepost VB-0 12 in Norfolk, VA and Milepost VB-15 46 in Virginia Beach, VA, from the prior approval requirements of 49 U S C 10903

Respectfully submitted

NORFOLK SOUTHERN
RAILWAY COMPANY

BY 
Daniel M. Mazur
Vice President

Dated July 17, 2007

Of Counsel
James R. Paschall
Senior General Attorney
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510
(757) 629-2759
fax (757) 533-4872

Attorney for
Norfolk Southern Railway Company

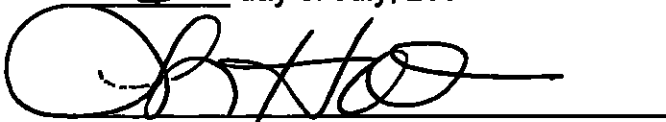
VERIFICATION

Commonwealth of Virginia)
) ss
City of Norfolk)

Daniel M Mazur makes oath and says that he is Vice President of Norfolk Southern Railway Company, the petitioner herein, that has been authorized by the petitioner to verify and file with the Surface Transportation Board the foregoing petition in STB Docket No AB-290 (Sub-No 293X), that he has carefully examined all of the statements in the petition as well as the exhibits attached thereto and made a part thereof, that he has knowledge of the facts and matters relied upon in the petition, that he has obtained knowledge of certain facts from, and has relied in part upon, the business records of the company or persons with a business duty to keep those records accurately, and that all representations set forth in the petition and exhibits are true and correct to the best of his knowledge, information, and belief


Daniel M Mazur

Subscribed and sworn to before me, a notary public
in and for the State and City above named, this
16th day of July, 2007


Notary Public

My commission expires November 30, 2007



CERTIFICATE OF SERVICE

I certify that the foregoing petition in STB Docket No AB-290 (Sub-No 293X) has been served on David S Ekern, Commissioner, Virginia Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, Theodore V Morrison, Jr , Chairman, Virginia State Corporation Commission, P O Box 1197, Richmond, VA 23218, the United States Department of Defense, Military Traffic Management Command (MTMCTEA), Transportation Engineering Agency, Railroads for National Defense Program, 720 Thimble Shoals, Blvd , Suite 130, Newport News, VA 23606-2574; National Park Service, U S Custom House, 200 Chestnut Street, Fifth Floor, Philadelphia, PA 19106, and U S Department of Agriculture, Chief of the Forest Service, 1400 Independence Avenue, S W , Washington, D C 20250 on July 17, 2007, by first class mail, postage prepaid



James R Paschall

Dated July 17, 2007

Federal Register _____, 2007 (Volume 71, Number ____)]

[Notices]

[Page ____]

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No AB-290 (Sub-No 293X)]

Norfolk Southern Railway Company - Abandonment - Petition for Exemption – Norfolk and Virginia Beach, Virginia

On July 18, 2007 Norfolk Southern Railway Company (NSR), filed with the Surface Transportation Board (Board) a petition under 49 U S C 10502 for exemption from the provisions of 49 U S C 10903, to abandon an approximately 15 34-mile line of railroad, extending between Milepost VB-0 12 in Norfolk, Virginia and Milepost VB-15 46 in Virginia Beach, Virginia (the Line) The Line traverses United States Postal Service Zip codes 23502, 23504, 23509, 23510, 23451, 23452, 23453, 23454, 23455, 23456, 23457 and 23462, and includes the stations of Park Ave , Tidewater, Glenrock, Greenwich, Euclid, Thalia, Rosemont, Lynnhaven, Oceana Wye, London Bridge and Oldfield

The Line does not contain federally granted rights-of-way Any documentation in NSR's possession will be made available promptly to those requesting it

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R Co –Abandonment–Goshen*, 360 I C C 91 (1979)

By issuance of this notice, the Board is instituting an exemption proceeding

pursuant to 49 U S C 10502(b) A final decision will be issued by _____, 2007

The segment of the Line located within the City of Norfolk, between Milepost VB-4 8 and its western terminus at Milepost-VB 0 12, is the subject of a Purchase and Sale Agreement to which the City of Norfolk would acquire the right-of-way and track and materials for use as a public transit corridor after consummation of the Line's abandonment

Offers of financial assistance (OFA) under 49 C F R 1152 27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption Each offer must be accompanied by a \$1,300 00 filing fee See 49 C F R. 1002 2(f)(25)

Any request for a public use condition under 49 C F R 1152 28 or any request for trail use/rail banking under 49 C F R 1152 29 will be due no later than _____, 2007 Each trail use request must be accompanied by a \$200 00 filing fee. See 49 C F R 1002 2(f)(27)

All filings in response to this notice must refer to STB Docket No AB-290 (Sub-No 293X) and must be sent to (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 395 E Street, S W , Washington, DC 20423-0001, and (2) James R Paschall, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510

Replies to the NSR petition are due on or before _____, 2007.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 245-0230 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 (SEA) at (202) 245-0295 [TDD for the hearing impaired is available at 1-800-877-8339]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). 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.

Board decisions and notices are available on our website at www.stb.dot.gov
Decided. _____, 2007

By the Board, David M. Konschnik, Director, Office of Proceedings

Vernon A. Williams,

Secretary

[FR Doc _____ Filed _____]

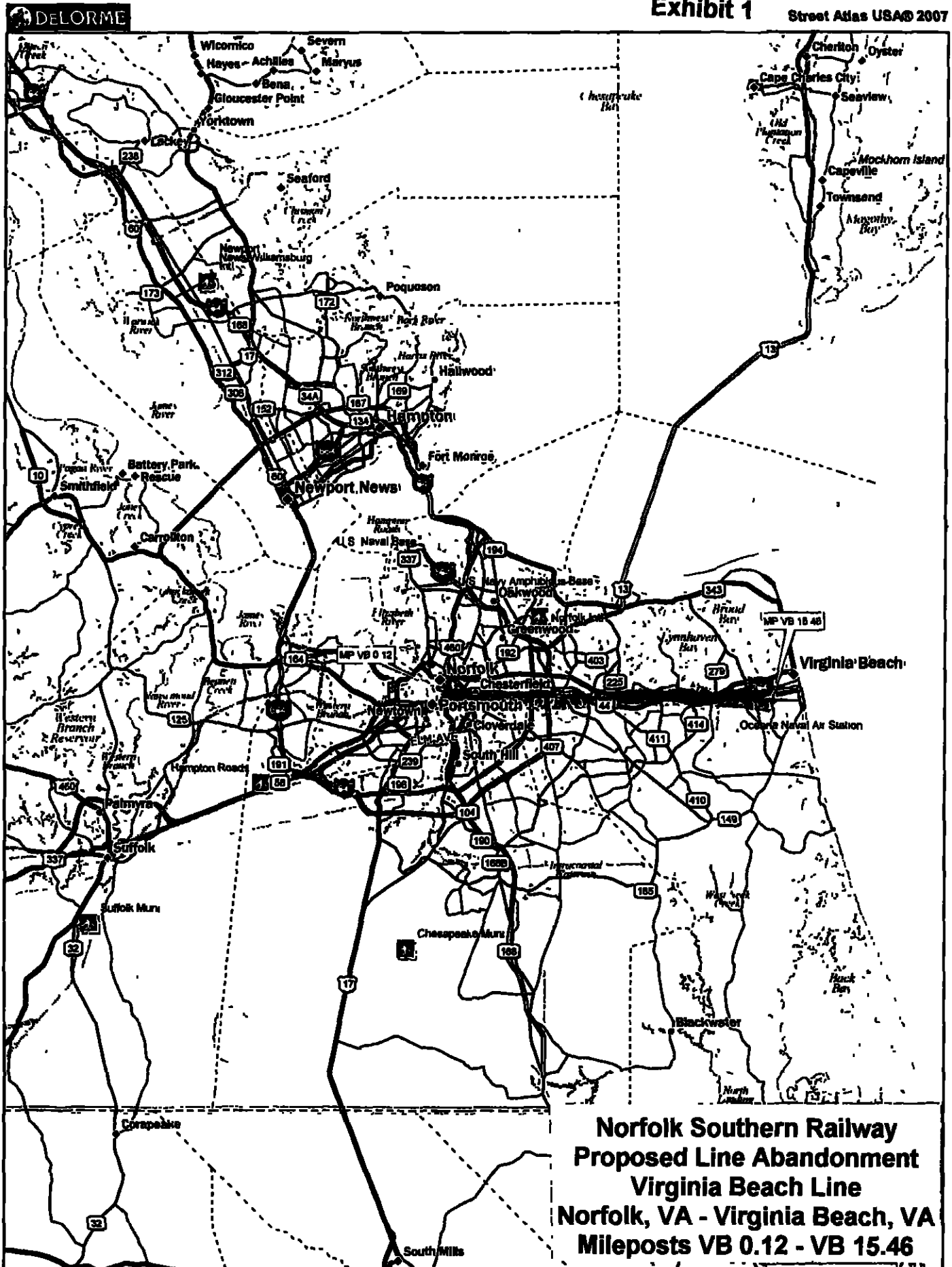
BILLING CODE _____

CERTIFICATION

I hereby certify (1), pursuant to 49 C F R §1105 11, that Environmental and Historic Reports related to the Petition for Exemption in Docket No AB-290 (Sub-No 293X), Norfolk Southern Railway Company - Abandonment - Petition for Exemption – Norfolk and Virginia Beach, Virginia, were submitted to the agencies identified in 49 C F R §1105 7(b) and to the Virginia State Historic Preservation Officer (see Exhibit 2), and (2) that the newspaper notice required by 49 C F R §1152 50(d)(1) was given through publication on June 28, 2007, in *The Virginian Pilot*, which is a newspaper of general circulation in Norfolk and Virginia Beach, VA (see Exhibit 3)


James R Paschall

Dated July 17, 2007



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1:100,000

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Scale 1:400,000

1" = 6.31 mi

Data Zoom 9-0

EXHIBIT 2

ENVIRONMENTAL AND HISTORIC REPORTS

**NORFOLK SOUTHERN RAILWAY COMPANY
STB DOCKET NO. AB-290 (Sub-No. 293X)
PROPOSED RAIL LINE ABANDONMENT**

**BETWEEN MP VB 0.12 IN NORFOLK AND MP VB 15.46
AT OLDFIELD (VIRGINIA BEACH), VIRGINIA**

ENVIRONMENTAL REPORT

June 15, 2007

.....

**NORFOLK SOUTHERN RAILWAY COMPANY
THREE COMMERCIAL PLACE
NORFOLK, VIRGINIA 23510-9207**

NORFOLK SOUTHERN RAILWAY COMPANY

STB DOCKET NO. AB-290 (Sub-No. 293X)

**ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT**

49 CFR 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.

RESPONSE Norfolk Southern Railway Company (NSR) proposes to abandon 15.34 miles of rail line between milepost VB 0 12 at a point near Park Avenue in Norfolk, Virginia and VB 15 46 at a point near Birdneck Road at the railroad's Oldfield station in Virginia Beach, Virginia. The line proposed for abandonment, has been dormant for about five years, except for the movement of about one car per month on the segment of the line between milepost VB 0 12 and VB 1 75 until August, 2006.

The only alternative would be not to abandon the line and to retain the track in place. This alternative is not satisfactory. Service on the portion of the line between Milepost VB 1 75 and Milepost VB 15 46 was discontinued effective December 30, 2004 pursuant to a notice of exemption in *Norfolk Southern Railway Company – Discontinuance of Service Exemption –In Norfolk and Virginia Beach, VA*, STB Docket No. AB-290 (Sub-No. 258X) (STB served November 30, 2004). Service on the

remaining portion of the line between Milepost VB 0.12 and Milepost VB 1.75 was discontinued effective August 6, 2006 pursuant to the STB decision in *Norfolk Southern Railway Company – Discontinuance of Rail Service- Petition for Exemption –In Norfolk and Virginia Beach, VA*, STB Docket No AB-290 (Sub-No 269X) (STB served July 7, 2006)

NSR would incur opportunity and other holding costs that would need to be covered by other customers were this line segment to be retained without being used for active rail freight service

NSR had previously served Environmental and Historic Reports in the first quarter 2006 anticipating an abandonment filing covering the subject line. The information gathered and responses received from agencies during that process have been incorporated into the present reports.

The segment of the line located within the City of Norfolk, between Milepost VB 4.8 and its western terminus at Milepost VB 0.12, is the subject of a Memorandum of Understanding in which the City of Norfolk would acquire the right of way following abandonment for use as a public transit corridor. No salvage would occur on the Norfolk segment, as it would be acquired with track, bridges and other improvements intact. Once abandoned, the remainder of the line between Milepost VB 4.8 and its eastern terminus at Milepost VB 15.46 could be salvaged of track and materials and the property sold to be put to a more productive use, especially for other corridor purposes. Such uses could include an extension of the planned light rail transit system or other

public uses such as walking or biking trails, a trolley line or a dedicated bus lane. Any of these potential uses would produce long-term environmental and social benefits.

A map delineating the line proposed for abandonment is attached as **Appendix A**. NSR's letter to federal, state and local government agencies is attached as **Appendix B**. Responses to the letter or other comments received as a result of consultations can be found in **Appendix C**.

49 CFR 1105.7(e)(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.

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. There is no rail freight or passenger traffic on the line segment proposed for abandonment, and consequently no rail traffic will be diverted to highway or other modes as a result of the abandonment. Service on the portion of the line between milepost VB 1 75 and milepost VB 15 46 was discontinued in 2004, and service on the portion of the line between milepost VB 0 12 and milepost VB 1 75 was discontinued in August 2006. Prior to discontinuance of service on the latter segment, the sole customer on it received approximately one car per month.

49 CFR 1105.7(e)(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.

RESPONSE: The Department of Planning and Community Development in the City of Norfolk previously responded favorably to the proposed action, stating that the action is consistent with city plans for the segment within Norfolk city limits from MP VB 0 12 to MP VB 4 8. The City Manager of Virginia Beach previously provided Norfolk Southern with excerpts from the City's 2003 Comprehensive Plan, a copy of the City's Master Transportation Plan Map, and excerpts from the City's 2004 Bikeways and Trails Plan. The segment within Virginia Beach city limits from MP VB 4 8 to MP VB 15 46 has been identified by the City as an area to be protected for future transportation options. The City Manager of Virginia Beach also advised Norfolk Southern of various utility facilities existing within or near the right-of-way and requested consultation prior to invasive work to prevent damage to water and sewage lines. A copy of this correspondence is attached in **Appendix C**.

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

RESPONSE: Based on consultation with the United States Department of Agriculture Natural Resources Conservation Service, no effects on prime agricultural land are anticipated as a result of the abandonment. There are no prime agricultural lands located near this segment of rail.

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

RESPONSE: The line proposed for abandonment is within the Commonwealth of Virginia's coastal zone. The Virginia Department of Environmental Quality Office of Environmental Impact Review evaluated the previously proposed abandonment under the Coastal Zone Management Act and did not state any concerns or inconsistencies with the coastal zone management plan and the proposed project.

(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

RESPONSE: The right-of-way should be suitable for alternative public use. As discussed above, the segment of the line located within the City of Norfolk, between Milepost VB 4.8 and Milepost VB 0.12, is the subject of a Memorandum of Understanding in which the City would acquire the right-of-way following abandonment for use as a public transit corridor. In addition, the City of Virginia Beach has identified the segment of the line located within the City from MP VB 4.8 to MP VB 15.46 as suitable for public use for transportation purposes.

49 CFR 1105.7(e)(4) Energy.

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

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment as no freight or passenger traffic is moving over the line.

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

RESPONSE Movement or recovery of recyclable commodities will not be affected by the abandonment as no freight or passenger traffic has moved over the line for many years

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

RESPONSE The proposed action will not result in an increase or decrease in overall energy efficiency as no freight or passenger traffic is moving over the line

(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

RESPONSE No traffic will be diverted from rail to motor carriage as a result of the proposed action

49 CFR 1105.7(e)(5) Air.

(i) If the proposed action will result in either.

(A) An increase in rail traffic of at least 100 percent (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 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions

RESPONSE The above thresholds will not be exceeded

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either
(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,
(B) An increase in rail yard activity of at least 20 percent (measured by carload activity),
or
(C) An average increase in truck traffic of more than 10 percent 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

RESPONSE The above thresholds will not be exceeded Norfolk and Virginia Beach, Virginia are in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants, except for 8-hour ozone, according to the U S Environmental Protection Agency

(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 restrictions); 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

RESPONSE. Not applicable

49 CFR 1105.7(e)(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

RESPONSE The above thresholds will not be exceeded

49 CFR 1105.7(e)(7) Safety.

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

RESPONSE Abandonment of the captioned rail line will have no significant effect upon public health or safety Any effect that does occur will be beneficial as several grade crossings will be eliminated within the Cities of Norfolk and Virginia Beach These crossings are listed in **Appendix D** In addition, implementation of a public transit corridor in the City of Norfolk would provide citizens with a relatively safe and fuel efficient alternative transportation method in the local area.

(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.

RESPONSE Not applicable.

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

RESPONSE NSR has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right of way or in adjacent areas A search of company records was conducted

49 CFR 1105.7(e)(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

RESPONSE: The U S Fish and Wildlife Service advises that the proposed action will not adversely affect federally listed species or federally designated critical habitat because no federally listed species are known to occur in the project area A copy of this response is attached in **Appendix C**

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

RESPONSE: Based on the site investigation, the line segment proposed for abandonment does not pass through state parks or forests, national parks or forests, or wildlife sanctuaries No adverse effects on wildlife sanctuaries, National Parks or Forests, or State Parks or Forests are anticipated

49 CFR 1105.7(e)(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 .

RESPONSE Salvage of materials would not be required on the segment between Milepost VB 0 12 and Milepost VB 4.8, as it would be acquired by the City of Norfolk with track, bridges and other improvements intact for use as a public transit corridor Norfolk Southern does not intend to either appreciably remove or alter the contour of the roadbed underlying the remainder of the rail line to be abandoned Since there are no plans to

undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, water quality impacts are not expected in connection with the proposed action

The Virginia Department of Environmental Quality Office of Environmental Impact Review evaluated the proposed abandonment under the Coastal Zone Management Act and the National Environmental Policy Act and found no requirements for the project within the City of Norfolk as no track and materials will be salvaged. However, depending on the scope of salvage operations for the line segment within Virginia Beach, there may be a need for erosion and storm water protection.

Consultation also has been requested from the U.S. Army Corps of Engineers.

(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.

RESPONSE The rail line proposed for abandonment does cross waterways, passes through 100-year flood plains, and is adjacent to wetlands, but there are no planned alterations to the roadbed. Given these circumstances the Army Corps of Engineers has determined that a Section 404 permit is not required, but further consultation is needed should the proposed work change. A copy of the response is attached in **Appendix C**.

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

RESPONSE To the knowledge of NSR, a permit under Section 402 of the Federal Water Pollution Control Act will not be required as there are no intentions to remove or alter the roadbed underlying the line to be abandoned, to undertake in-stream work or to dredge or use any fill materials. There should be no significant effects to water quality or the need to acquire a Section 402 permit under the Federal Water Pollution Control Act. The Virginia Department of Environmental Quality stated that permits were not required for the project as there are no plans to alter the existing roadbed. A copy of this response is attached in **Appendix C**.

Consultation also has been requested from the Environmental Protection Agency

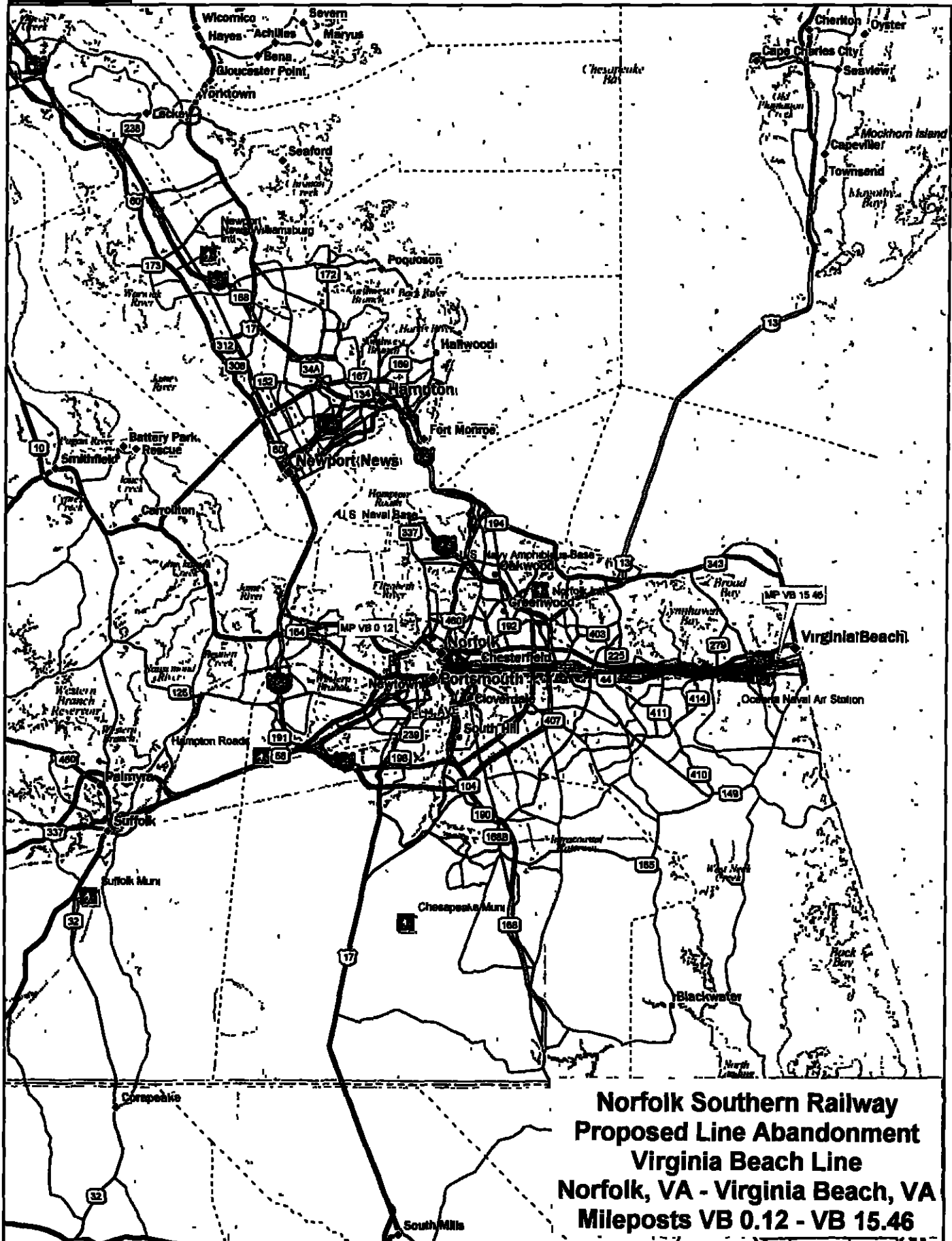
49 CFR 1105.7(e)(10) Proposed Mitigation.

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

RESPONSE Abandonment of the involved rail line is not expected to produce adverse environmental impacts. Only minimal physical activity may occur, such as removal of rail, ties, and other railroad appurtenances. NSR will undertake all reasonable mitigation associated with these activities to assure the abandonment does not produce adverse environmental impacts.

APPENDIX A

Site Map



Data use subject to license

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www.delorme.com

35
1:10,000

Scale 1 400,000
1" = 6.31 mi Data Zoom 9-0

APPENDIX B

Agency Letters

RECIPIENT LIST

Proposed Rail Line Abandonment of the segment of rail line between MP VB 0.12 and MP VB 15.46, a distance of 15.34 miles, located in Norfolk, and Virginia Beach, Virginia.

Mr David S Ekern, Commissioner
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219

U S Environmental Protection Agency
Region 3 – Water Protection Division
1650 Arch Street
Philadelphia, PA 19103-2029

Virginia Dept of Environmental Quality
Water Quality Division
P O Box 10009
Richmond, VA 23240

Mr James K Spore, Manager
City of Virginia Beach
2401 Courthouse Drive, Suite 234
Municipal Center Building 1
Virginia Beach, VA 23456

Ms Regina Williams, Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510

Mr Jim Gildea, Assistant Director
Department of Planning and
Community Development
810 Union Street, Room 508
Norfolk, VA 23510

USDA-NRCS
310 Shea Drive
Chesapeake, VA 23322

Ms Karen Mayne
U S Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23601

Ms Kathryn Edgar, Environmental Scientist
U S Army Corps of Engineers
District Regulatory Branch
803 Front Street
Norfolk, VA 23510

Ms Chrysandra Walker, Acting Director
National Park Service
U S Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106

National Geodetic Survey
1315 East/West Highway
Silver Spring, MD 20910

Ms Laura McKay
Virginia Coastal Program Manager
Department of Environmental Quality
Division of Environmental Enhancement
629 East Main Street
Richmond, VA 23219

Ms Jayne B Whitney
Vice President - Development
Hampton Roads Transit
3400 Victoria Boulevard
Hampton, VA 23661



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207

June 15, 2007

RE Docket No AB-290 (Sub-No 293X), Norfolk Southern Railway Company
Abandonment – in Virginia Beach, Virginia and Norfolk, Virginia

Dear Sir/Madam

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon the segment of rail line between Milepost VB 0 12 and Milepost VB 15 46, a distance of 15 34 miles, located between the stations of Norfolk and Oldfield in Norfolk, Virginia and Virginia Beach, Virginia respectively

Enclosed is an Environmental Report which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in Appendix A of this report.

NSR does not anticipate adverse environmental impacts, however, if you identify any adverse environmental effects please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in an Environmental Report and sent to the Surface Transportation Board (STB). Appendix B of this report lists the various agencies receiving it.

This report is also being provided so that you may submit 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, 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) by telephone at (202) 245-0295 or by mail to

Surface Transportation Board,
395 E Street, S W , Room 1106
Washington DC 20423-001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason 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 with the STB, NSR must receive your comments within three weeks. Please provide information to Kathy Headrick by email at kathy.headrick@nscorp.com, or by mail to

Kathy Headrick
Coordinator-Abandonments
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510

Sincerely,

A handwritten signature in black ink, appearing to read "Marcellus C. Kirchner", with a long horizontal flourish extending to the right.

Marcellus C. Kirchner
Director Strategic Planning
Norfolk Southern Railway Company

APPENDIX C

Agency Responses



City of Norfolk

Department of Planning and Community Development

December 23, 2005

Ms Donna Braun
Norfolk Southern Corporation
3 Commercial Place
12th Floor - Strategic Planning
Norfolk, VA 23510

RE Docket No AB-290 Sub-No 269X
Norfolk Southern Railway Company
Proposed Abandonment

Dear Ms Braun

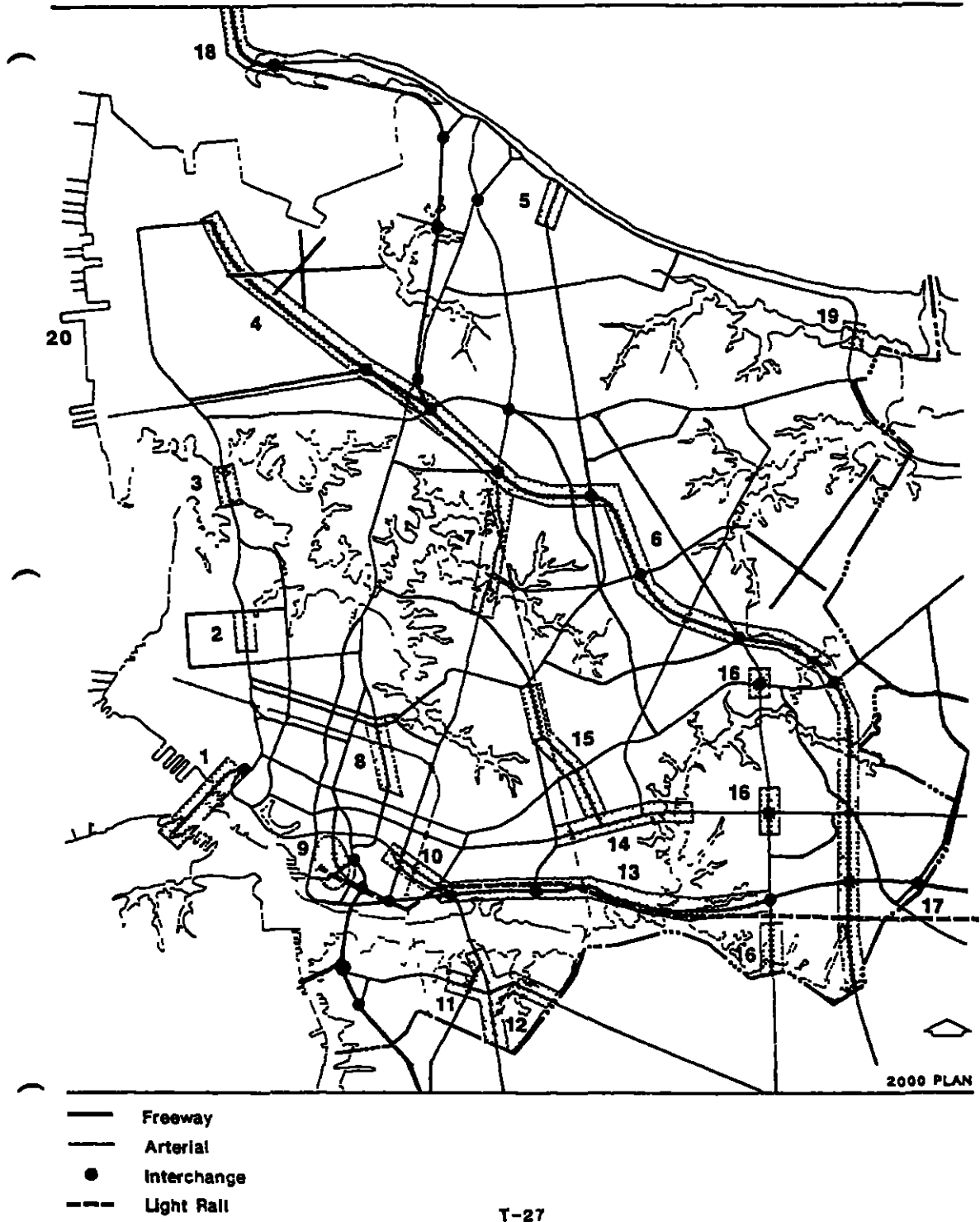
In response to Mr. Kirchner's recent letter on the above referenced subject, this letter confirms that Norfolk fully supports and endorses the proposed abandonment of Norfolk Southern's Virginia Beach rail line between milepost VB 4.8 and its western terminus at milepost VB 0.12 in the city. This proposed action is fully consistent with all officially adopted city plans and programs to convert this existing rail line into a new public transportation corridor. Specifically and as noted in Mr. Kirchner's December 7, 2005, the City of Norfolk recently entered into a Memorandum of Understanding with Norfolk Southern Corporation to purchase this corridor in support of the proposed Norfolk Light Rail project. Also, a copy of Map T-4 Planned Transportation Improvements from the General Plan of Norfolk (1992) officially designating this corridor in the City's long range plan as a passenger light rail line is attached here for your information and use.

Thank you for the opportunity to comment on this issue. Please advise if there are any questions or if we can be of further assistance at this time.

Sincerely,

Stanley Stein
Acting Director

T-4 PLANNED TRANSPORTATION IMPROVEMENTS





City of Virginia Beach

VBgov.com

OFFICE OF THE CITY MANAGER
(757) 385-4242
FAX (757) 427-5828
TDD (757) 385-4305

MUNICIPAL CENTER
BUILDING 1
2421 COURTHOUSE DRIVE
VIRGINIA BEACH VA 23456-9001

January 31, 2006

Donna Braun
Norfolk Southern
3 Commercial Place
12th Floor-Strategic Planning
Norfolk, Virginia 23510

Subject Norfolk Southern Rail Line Proposed Abandonment
 Docket No AB-290, Sub-No 269X

Dear Ms Braun

In response to Mr Marcellus Kirchner's letter dated December 7, 2005, the City of Virginia Beach does not require the continued use of the Norfolk Southern right of way as a rail line, but the City does wish to preserve the Virginia Beach segment of the right of way for future use as a public transit corridor

City planning documents support future use of this corridor for public transit purposes

- The Norfolk Southern rail line is located within the Virginia Beach Boulevard corridor of the City. This corridor, in large degree, encompasses the areas identified by the City's Comprehensive Plan Strategic Growth Area #4, Pembroke Area, which recommends that the planning of structures on the property located adjacent to the railroad right of way should remain flexible enough to accommodate future connections to commuter transit systems that may emerge along this corridor.
- The Master Transportation Plan identifies the Norfolk Southern railroad right of way as an area to be protected for future transportation options.
- The Bikeways and Trails Plan for the City identifies the Norfolk Southern railroad right of way as an area to be protected for future transportation options.
- The City's Bikeways and Trails Plan for the City identifies the Norfolk Southern railroad right of way within the primary network route, which builds upon existing and programmed facilities and forms the framework of the bikeways and trails system. The Plan identifies the right of way as an important link in the

Ms Donna Braun
January 31, 2006
Page 2

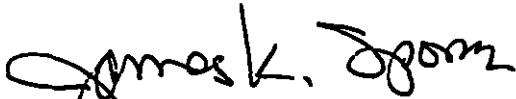
- overall primary network and interjurisdictional planning, to accommodate a shared-use facility. The right of way provides an ideal avenue of travel for non-motorized and multi-modal travel across this highly urbanized section of the City.
- There is a potential use with Southern Boulevard, which runs adjacent to the right of way, for a trail or bikeway or for park use.
 - The right of way contains City utility lines and other public utilities, and the City expects continued future use of the line for such purposes.

I am enclosing for your reference, excerpts from the City's 2003 Comprehensive Plan, a copy of the City's Master Transportation Plan Map and excerpts from the City's 2004 Bikeways and Trails Plan.

The City remains interested in purchasing the segment of the railroad right of way once it has been abandoned.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,



James K. Spore
City Manager

Cc Mr Marcellus Kirchner

JKS/amg

Enclosure



City of Virginia Beach

OFFICE OF THE CITY MANAGER
(757) 427-4242
FAX (757) 427-5625
TDD (757) 427-4305

MUNICIPAL CENTER
BUILDING 3, ROOM 103-
3401 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23466-1400

March 7, 2006

Ms Donna Braun
Norfolk Southern
3 Commercial Place
12th Floor—Strategic Planning
Norfolk, Virginia 23510

Subject: Docket No AB-290 (Sub-No 269X)
Norfolk Southern Railway Company Proposed Abandonment in Norfolk,
Virginia and Virginia Beach, Virginia

Dear Ms Braun

This letter is in response to Marcellus Kirchner's February 15, 2006 letter regarding the Preliminary Environmental Report in connection with the above-referenced abandonment

The City has utility facilities within the right-of-way to be abandoned, including a major water line that runs for several miles of the corridor and various smaller utilities at intersections or in other locations along the right-of-way. HRSD also has a major force main and other sewer facilities in the rail corridor. The City's water line and the HRSD force main are critical facilities, and there would be major disruptions if either line is damaged. The City requests that Norfolk Southern use care when taking up the rail track so as not to disturb the facilities. Please call Miss Utility at 1-800-552-7001 prior to starting any invasive work and notify Gary Jones at 757-385-8653 in the City's Department of Public Utilities to review removal plans, because heavy equipment can cause damage to underground water and sewer lines.

I would also like to address the statement in the Report on page 3 regarding the removal of rails at the South Great Neck / London Bridge Road crossing. The Virginia Department of Transportation ("VDOT") controls that road project, not the City of Virginia Beach. VDOT managed the design and construction for the road project and is

Ms Donna Braun

Subject Norfolk Southern Railway Company Proposed Abandonment in Norfolk,
Virginia and Virginia Beach, Virginia

March 7, 2006

Page 2

administering the construction contract with E V Williams, the construction contractor. Nevertheless, based on the City's monitoring of the project, it is our understanding that after an initial disagreement as to how the tracks would be handled, further discussions led to Norfolk Southern agreeing to let VDOT and E V Williams remove the tracks. For further information on this subject, please contact VDOT's Richmond office.

In addition, below are a few minor corrections to be made to the Report:

Page 4, paragraph 3 – "Director of Land Management in the City of Virginia Beach" should be "Director of Planning and Community Development in the City of Virginia Beach." Also make the above change on the Recipient List and the Environmental Report Certificate of Service attached to the Report.

Appendix D – Item No. 2 on the list of Public Crossings should be "Potters/London Bridge Road."

Please let me know if you have any questions.

Sincerely yours,

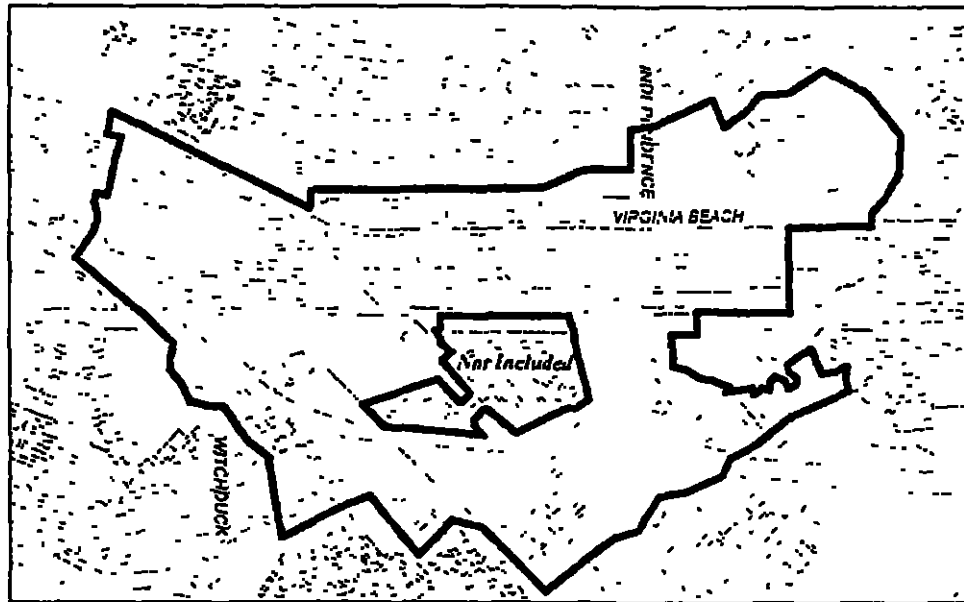


James K. Spore
City Manager

JKS/dsc

cc Mr. Marcellus Kirchner, Norfolk Southern
Surface Transportation Board, Section of Environmental Analysis

Strategic Growth Area #4 Pembroke Area

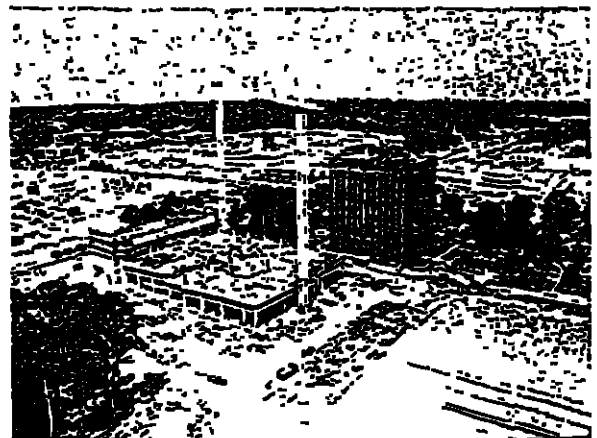


Description

The Pembroke Strategic Growth Area consists of many tracts of land that differ widely with respect to type, intensity, character and value of land use. This SGA enjoys a locational advantage within the City of Virginia Beach and the region. Significant investments and ongoing economic growth is occurring within many sectors of the Central Business District. This Strategic Growth Area is comprised of three subareas including the Town Center, West Pembroke Area and Bonney Road West Corridor.

Town Center Description

The Central Business District's Town Center encompasses the area bound by Independence Boulevard, Virginia Beach Boulevard, Constitution Drive and the railroad right of way. Recent development in this area has begun the transformation from a mostly wooded area dominated by a single 11-story building and other scattered buildings to an array of well-planned mid to high-rise structures within an attractive, mixed use, pedestrian-oriented urban setting. The planning goals envisioned in the 1991 Central Business District Master Plan are being realized.



Transforming from suburban to urban



Town Center Rendering

Photo courtesy of CMSS Architects

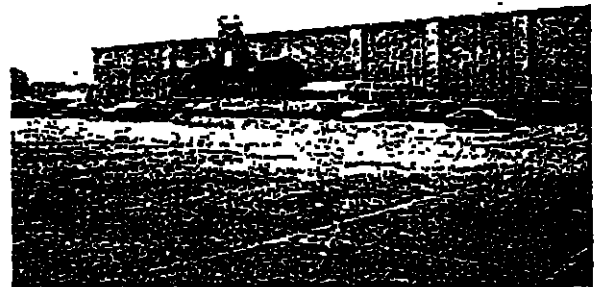
Town Center Recommendations

The planning and development policies for this area are embodied in the Pembroke Central Business District Master Plan, which is adopted as part of this Comprehensive Plan. The general goals and objectives of the Master Plan should be implemented by continuing the high quality, urban pattern of development. These goals and objectives should be accomplished, in part, through the provisions of conditional zoning and other appropriate land use planning and financing mechanisms to help advance the long term economic viability of this area. The Master Plan recommends the vertical and horizontal integration of urban designed uses including office, retail, restaurant, entertainment, residential, cultural, education, leisure and open space. Well designed, centralized parking structures coupled with urban streetscapes that are designed to accommodate pedestrian movement in a safe, interesting and attractive environment are also critical components of the Town Center's urban design strategy. The planning of structures on property located adjacent to the railroad right of

way should remain flexible enough to accommodate future connections to commuter transit systems that may emerge along this corridor.

West Pembroke Area Description

The West Pembroke Area is located between Witchduck Road, Independence Boulevard, Virginia Beach Boulevard and I-264. For the most part, the area consists of numerous, older and single-story commercial structures that occupy relatively small parcels of land on a modified grid street pattern. A few, large-size commercial buildings exist here. These include the former Builders Square and FX structures. Many of these structures are either vacant or have not realized their full economic potential. This area adjoins the Pocahontas Village neighborhood. Most of the uses in this sub-area include small commercial or industrial related businesses with outdoor storage, limited parking



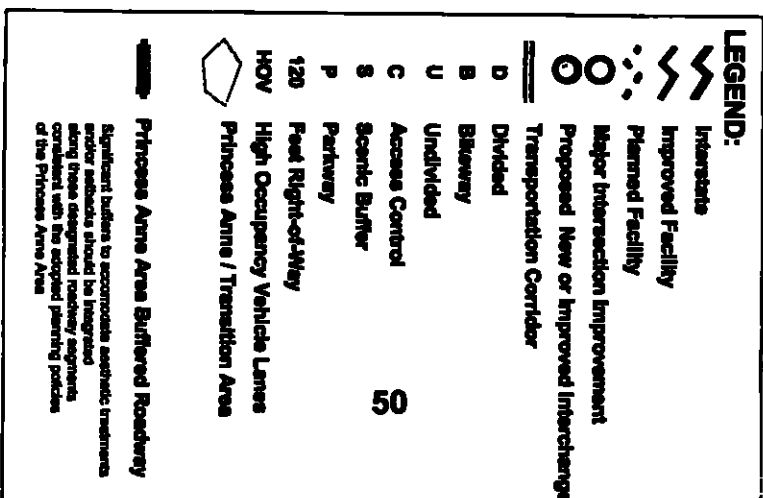
Example of redevelopment opportunity site

- Continue to protect the Nimmo Parkway corridor east of General Booth Boulevard

Virginia Beach Boulevard Corridor

This corridor, to a large degree, encompasses the areas identified as strategic growth areas. Consequently, the plan offers specific guidance with regard to future improvements. In many cases the exact nature of the proposed improvements are unknown. In those cases, a listing of the location suggests the need for a study to better identify specific transportation improvements.

- Improve Newtown Road and its intersection with Virginia Beach Boulevard
- Improve Witchduck Road and its intersections with I-264 and Cleveland Street
- Improve Cleveland Street and complete the connection of this roadway between Witchduck and Newtown Roads
- Protect the Norfolk Southern Rail road right of way for future transportation options
- Improve Rosemont Road and its intersections with I-264 and Virginia Beach Boulevard
- Improve the accessibility of the Town Center
- Realign Bonney Road to better serve Town Center and connections to Rosemont Road
- Improve the accessibility of the Lynnhaven office and retail district
- Improve the Lynnhaven Parkway interchange with I-264
 - Construct I-264 interchange improvements at Great Neck Road
 - Improve intersection at Lynnhaven and International Parkways
- Improve Virginia Beach Boulevard from Laskin Road to Pacific Avenue
 - Improvements in this corridor should include the following access controls, aesthetic treatments, and safety improvements
- Extend Norfolk Avenue west to connect with Southern Boulevard
- Extend the Norfolk Avenue Trail to connect with Southern Boulevard



Adopted December 2, 2003

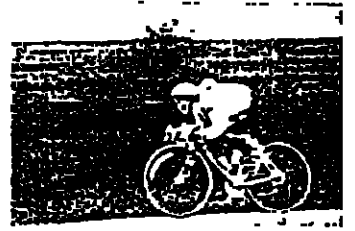
Bikeways & Trails Plan

for the

City of
Virginia Beach



Adopted by the City
Council of Virginia Beach
on October 12, 2004



Recommendations

Findings of the inventory and analysis of the existing system, along with the results of the Citizen Bike Survey, were utilized by a group of stakeholders to develop goals, facility type recommendations, and identify a prioritized system of facilities. Stakeholders included various City departments, adjoining jurisdictions, the Virginia Department of Transportation (VDOT), and the Hampton Roads Planning District Commission (HRPDC). The following three goals were established to guide the development of the network:

- *Establish Virginia Beach as the premier biking and trails destination in the mid-Atlantic region of the United States*
- *Establish connectivity throughout the City with the designation and implementation of a safe, continuous, and coordinated system of bikeways and trails that provide access to recreational, employment, and commercial activity centers*
- *Provide a variety of facilities (on-road, off-road, and shared use) to satisfy the transportation and recreation needs of different user types and abilities*

The recommended network is comprised of three system components, a primary network, a secondary network, and specialized facilities. Each of these system components forms an important part in meeting the goals stated above.

Primary Network



Town Center - Courtesy of
CMSS Architects PC

The primary network (see Figure 2, p. 27) builds upon existing and programmed facilities and forms the framework of the bikeways and trails system. It consists of a number of City streets and other rights of way designated as bikeways and trails. These corridors are the recommended priorities for facility funding and implementation. It is the arterial component of the City's bikeways and trails system, connecting major destination points throughout the City. Chosen destination points range from urbanized locations, such as the developing Town Center and Princess Anne Commons, to rural locations such as Munden Point District Park and Back Bay National Wildlife Refuge.



Back Bay National Wildlife Refuge - USFWS

Several connection points have also been established with adjoining jurisdictions. Through inter-jurisdictional planning, the potential to bike from the Oceanfront to Downtown Norfolk or from Sandbridge to the Greenbrier area of Chesapeake is possible. An important link in the overall primary network and inter-jurisdictional planning is the use of the Norfolk Southern Railroad right of way, that traverses east-west across the City, to accommodate a shared use facility. It provides an ideal avenue of travel for non-motorized and multi-modal travel across this highly urbanized portion of the City where numerous vehicular conflicts and safety issues limit the viability of other routes.

Six areas are highlighted on the primary network map as critical areas. These are areas where current conditions and uncertain future development or redevelopment patterns inhibit the designation of an appropriate facility at this time. Both public and private coordination is necessary in these areas to ensure that as roads are improved and areas redeveloped these important links are addressed.

Secondary Network

The secondary network (see Figures 5-1 to 5-9, pgs. 32 - 40) forms the inner web of the overall bikeways and trails system, providing access to destinations such as community parks, recreation centers, libraries, and neighborhood commercial areas. Several network guidelines and strategies have also been recommended in addition to the network maps, due to uncertain future development patterns and opportunities in which these localized facilities may need to be adjusted over time. These guidelines and strategies assure that local civic groups and community members are involved in the planning process on a continuous basis, and that during the evaluation of rezonings and development plans, opportunities to provide appropriate linkages are addressed.

Specialized Facilities

Specialized facilities provide unique venues for various bikeway and trail users and are intended to serve special events, users, and functions. Recommended facilities include a 50 mile on-road loop as a safe route for sponsored events and experienced bikers, an off-road unpaved soft path biking course, an off-road unpaved soft path trail system for equestrian use, a one mile off-road paved shared use path criterion bike course for special events and race training, and a specially designated Virginia Scenic Byway motor vehicle and bike route.

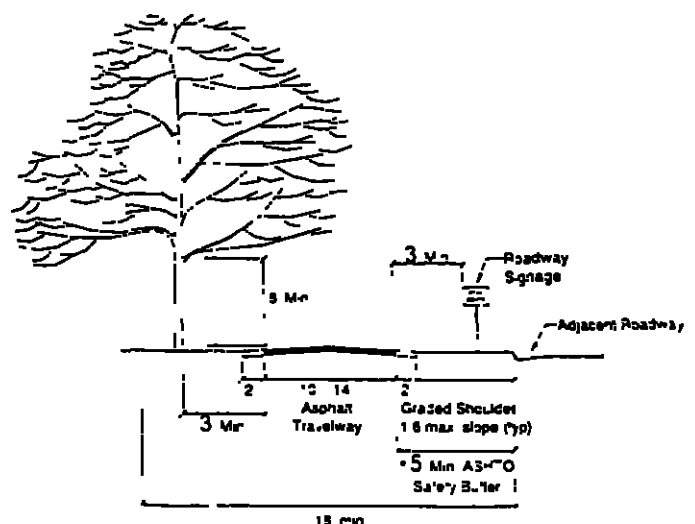


Pungo Ferry Bridge

Facility Types

The development of appropriate, safe, and consistent bicycle and trail facilities requires standard design guidelines. Therefore, standards and guidelines taken directly from those developed by the American Association of State Highway and Transportation Officials (AASHTO) and the Virginia Department of Transportation (VDOT) are provided as reference in this document. Standards are included for the four types of on-road facilities: bike lane, paved shoulder, wide outside lane, and bike route, and one type of off-road facility: shared use path. These standards are considered sound guidelines for the development of safe bicycle and shared use facilities.

Shared Use Path



Existing & Proposed Network - Bicycle & Trails Planning Bayfront Planning Area

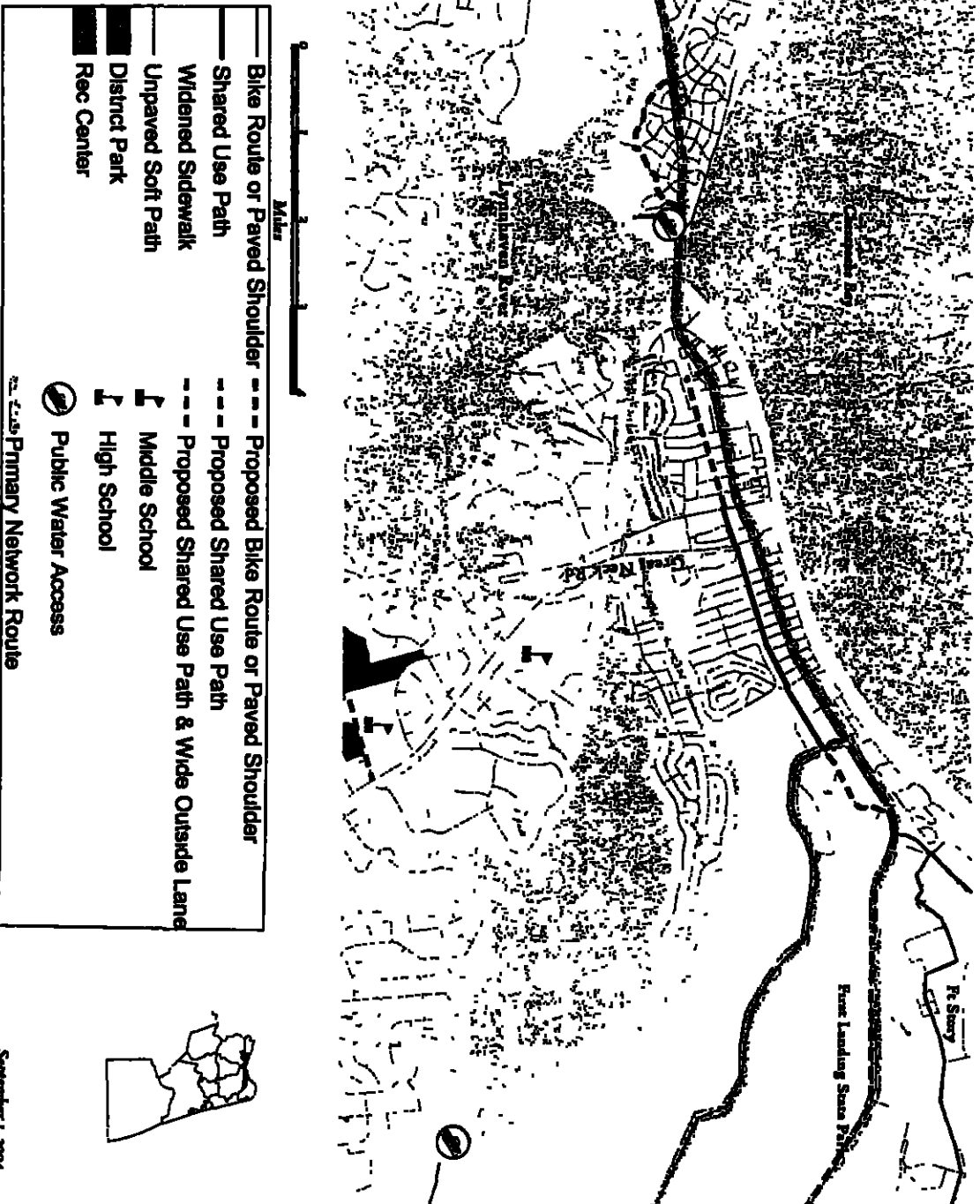
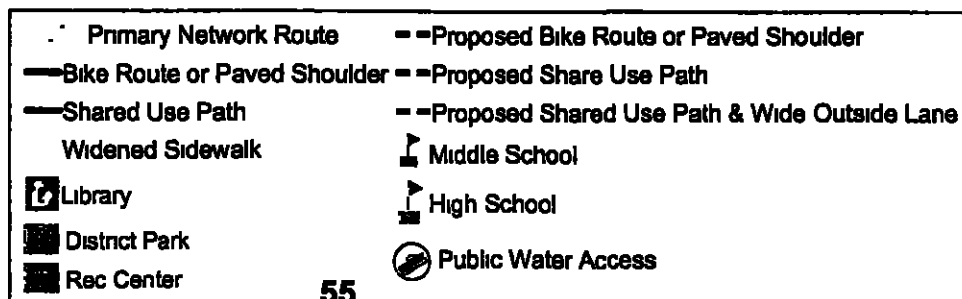
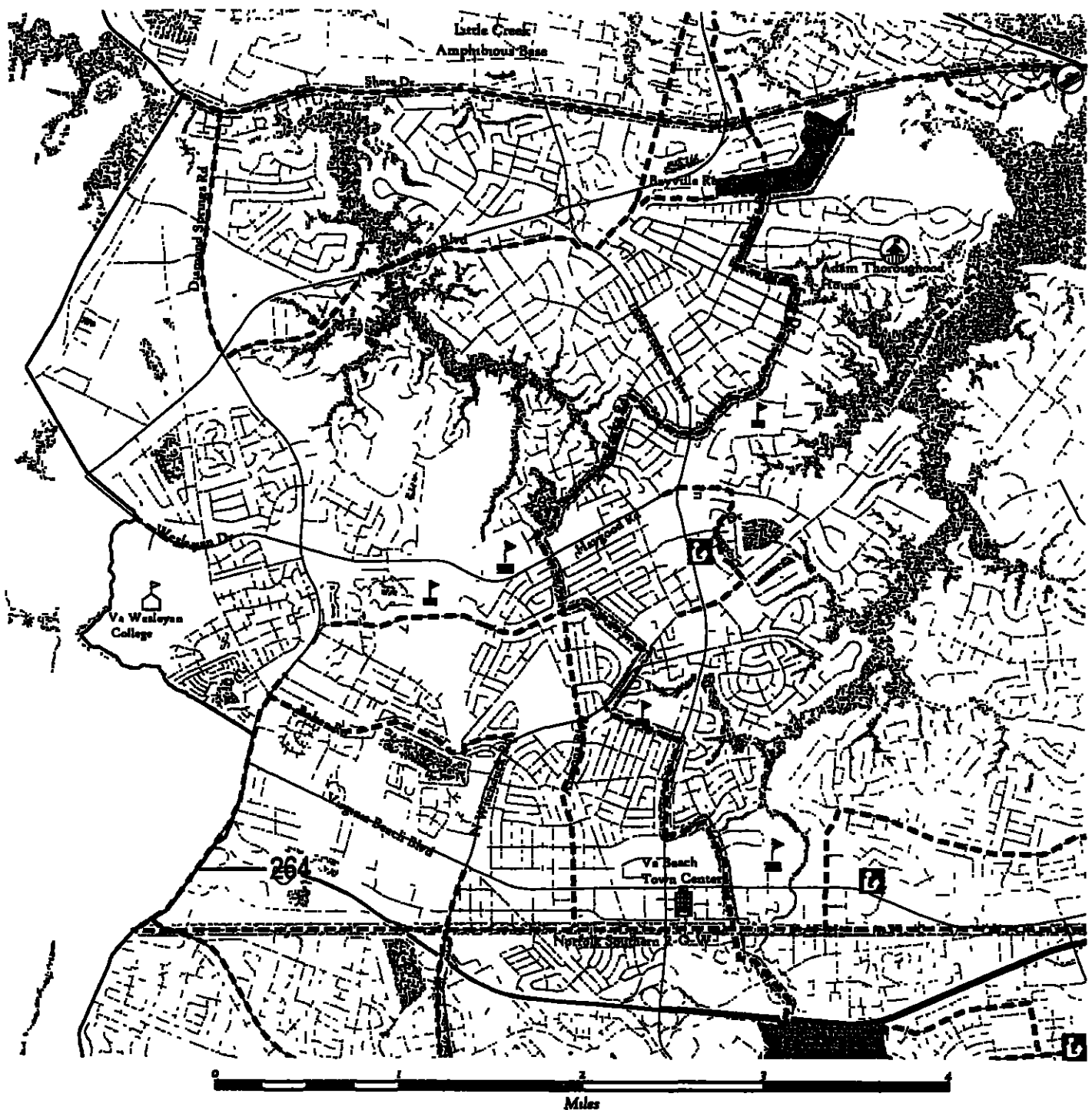


Figure 5-1

Existing & Proposed Network - Bicycle & Trails Planning
Bayside Planning Area



55

Figure 5-2

September 1, 2004

33

Braun, Donna L.

From Crabtree, Gene - Chesapeake, VA [Gene.Crabtree@va.usda.gov]
Sent Tuesday, December 13, 2005 12:46 PM
To donna.braun@nscorp.com
Subject NS Proposed Abandonment

Re: Docket No. AB-290 Sub-No. 269X

Ms. Braun,

This is in response to the above referenced project as received in a letter dated 12/7/2005 from Marcellus C. Kirchner.

There are no prime agricultural lands in the proposed abandon rail line segment.

Please contact our office if additional information is needed.

Gene Crabtree
District Conservationist

USDA-NRCS
310 Shea Drive
Chesapeake, VA 23322
PH (757)547-7172 x3
FAX (757)436-0285



COMMONWEALTH of VIRGINIA

L. Preston Brunt, Jr.
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
Street address: 629 East Main Street, Richmond, Virginia 23219
Mailing address: P.O. Box 10009, Richmond, Virginia 23240
Fax: (804) 698-4500 TDD: (804) 698-4021
www.deq.virginia.gov

David K. Porter
Director

(804) 698-4000
TDD: (804) 698-4021

March 21, 2006

Mr. Marcellus C. Kirchner
Director Strategic Planning
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

RE: Norfolk Southern Railway Company
Abandonment - in Norfolk, Virginia and Virginia Beach, Virginia

Dear Ms. Davis:

I have reviewed your request for scoping comments regarding the abandonment of the Norfolk Southern Railway. According to the report, the railway does cross waterways and passes through wetland areas, but there are no plans to alter the existing roadbed. The proposed abandonment will occur within the existing right-of-way. Therefore, a Virginia Water Protection permit does not appear to be required.

In general, DEQ encourages the use of erosion and sediment control measures, adherence to storm water management regulations, and careful construction practices to minimize temporary impacts to surface water during site construction activities. In addition, standard erosion and sediment control measures as presented in the *Virginia Erosion and Sediment Control Handbook* should be implemented to further reduce potential impacts to surface waters.

DEQ appreciates the opportunity to comment on this project. If I can be of any further assistance, please feel free to contact me at (804) 698-4007.

Sincerely,

Michelle Henicheck, PWS
Environmental Specialist II

cc: File

AGENCY TELEPHONE CONSULTATIONS

Virginia Beach and Norfolk, Virginia

Agency Mr John Fisher
Virginia Department of Environmental Quality
Office of Environmental Impact Review
Richmond, VA 23240
804-698-4339

Date 2/21/2006
Time (E.S.T.) 4 00 PM

Comments Project reviewed under the Coastal Zone Management Act and the NEPA
Based on the nature of the project described there would be no requirements in Norfolk, however, there may be some constraints for the sections in Virginia Beach to prevent erosion and control of storm waters depending on what if any salvage activities Should the rail be salvaged in Virginia Beach, check before initiating activity The agency will not reply by written correspondence

Agency Mr Travis Campbell
Planning Department
City of Virginia Beach
757-385-8593

Date 2/28/2006
Time (E.S.T.) 10 00 am voicemail
10 09 am return call, message left

Comments Voicemail inquisition regarding the environmental report and our desired response
Returned phone call and advised that we are required by the STB to serve the report to interested parties so that those parties can comment, show support, or express concerns about the proposed project

Agency Ms Dominique Lueckenhoff
Region 3 Water Protection Division
United States Environmental Protection Agency
1650 Arch Street
Philadelphia, PA

Date 3/21/2006

Time (E.S.T.) 2 26 PM

Comments Left voicemail advising that I was following up for concerns or questions related to Norfolk Southern's environmental report for a proposed rail line abandonment in Norfolk and Virginia Beach, VA

Agency Ms Mary Bomar
National Park Service
U S Customer House
200 Chestnut Street
Philadelphia, PA

Date 3/21/2006

Time (E.S.T.) 3 38 PM

Comments Left message advising that I was following up for concerns or questions relate to Norfolk Southern's environmental report for a proposed rail line abandonment in Norfolk and Virginia Beach, VA

Agency Mr Joe Evjen
National Geodetic Survey
1315 East/West Highway
Station 8853
Silver Spring, MD 20910

Date 3/21/2006

Time (E.S.T.) 4 00 PM

Comments Frank Maida has retired and his duties have not been reassigned In the interim Mr Evjen is responsible for finding someone to respond to inquiries relating to potential markers Emailed Mr Evjen a copy of the environmental report and advised him he could respond to the email with any comments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061



Date January 20, 2006

Project name Norfolk Southern Line Abandonment
Project number SEC 7-9394 City/County, VA VA Beach

The U S Fish and Wildlife Service (Service) has reviewed your request for information on federally listed or proposed endangered or threatened species and designated critical habitat for the above referenced project. The following comments are provided under provisions of the Endangered Species Act (ESA) of 1973 (87 Stat 884, as amended, 16 U S C 1531 *et seq*)

✓ We have reviewed the information you have provided and believe that the proposed action will not adversely affect federally listed species or federally designated critical habitat because no federally listed species are known to occur in the project area. Should project plans change or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

_____ We recommend that you contact both of the following State agencies for site specific information on listed species in Virginia. Each agency maintains a different database and has differing expertise and/or regulatory responsibility.

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

Virginia Dept of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 2nd Floor
Richmond, VA 23219
(804) 786-7951

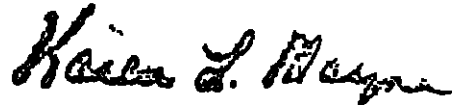
If either agency indicates a federally listed species is present, please resubmit your project description with letters from both agencies attached.

_____ If appropriate habitat may be present, we recommend surveys within appropriate habitat by a qualified surveyor. Enclosed are county lists with fact sheets that contain information the species' habitat requirements and lists of qualified surveyors. If this project involves a Federal agency (Federal permit, funding, or land), we encourage the Federal agency to contact this office if appropriate habitat is present and if they determine their proposed action may affect federally listed species or critical habitat.

_____ Determinations of the presence of waters of the United States, including wetlands, and the need for permits are made by the U S Army Corps of Engineers. They may be contacted at Regulatory Branch, U S Army Corps of Engineers, Norfolk District, 803 Front Street, Norfolk, Virginia 23510, telephone (757) 441-7652

Our website <http://virginiafieldoffice.fws.gov> contains many resources that may assist with project reviews. Point of contact is MIKE DRUMMOND at (804) 693-6694, ext 114

Sincerely,

A handwritten signature in black ink, appearing to read "Karen L. Mayne". The signature is fluid and cursive, with the first name "Karen" being the most prominent part.

Karen L. Mayne
Supervisor
Virginia Field Office



U S Army Corps of Engineers
Norfolk District, Southern Virginia Regulatory Section
803 Front Street
Norfolk, VA 23510

October 23, 2003

Project Number 03-R1851

Waterway several

1 Participant
Norfolk Southern Corporation
c/o Larry Western
110 Franklin Road, S E
Roanoke, VA 24042-0013

2 Authorized Agent
None

3 Address of Job Site

Railroad proposed to be abandoned is between Milepost VB 0 12 in Norfolk and Milepost VB 15 40 in Oldfield (near oceanfront in Virginia Beach)

4 Project Description

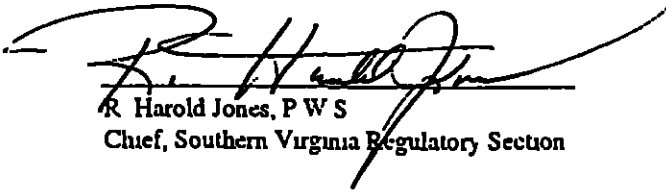
Review of environmental report associated with proposed abandonment of approximately 15 miles of railroad service

5 Findings

This is in response to your environmental report for the proposed abandonment of the Norfolk Southern railroad service between Milepost VB 0 12 in Norfolk and Milepost VB 15 40 in Oldfield, Virginia. Based on aerial photography and application of the National Wetland Inventory maps, the stretch of railroad that you propose to abandon crosses wetlands and waters of the United States at a minimum of 11 locations. These waters and wetlands are regulated under Section 10 of the Rivers and Harbors Act (33 U S C 403) and Section 404 of the Clean Water Act (33 U S C 1344) respectively. So long as the rail track and other materials are removed within the right of way and the roadbeds are left intact in these locations, no further authorization will be required from this office.

If your proposed removal methods change, please consult with this office before beginning work.

6 Corps Contact Kathryn Edgar at (757) 441-7389


R. Harold Jones, P W S
Chief, Southern Virginia Regulatory Section

NAO FL 13 REVISED DEC 90

Braun, Donna L.

From: Edgar, Kathryn A NAO [Kathryn A Edgar@nao02.usace.army.mil]
Sent: Friday, February 10, 2006 3:31 PM
To: donna.braun@nscorp.com
Cc: Edgar, Kathryn A NAO
Subject: Docket No. AB-290 Sub-No. 269X

Ms. Braun,

We received a request from Marcellus Kirchner concerning the above referenced proposed abandonment of railway and requesting concerning Section 404 permits. I was the project manager that reviewed an environmental report associated with this proposed abandonment in 2003—I issued a letter following that review to Larry Western in Roanoke, Virginia. I believe a copy of that letter may satisfy your needs under this request as well, as it stated "So long as the rail track and other materials are removed within the right of way and the roadbeds are left intact in these locations, no further authorization will be required from this office. If your proposed work changes, please consult with this office before beginning work." Your most recent request indicates that the removal of the railway (if abandoned) is as described in that letter, therefore, I have made a copy of this letter and will be mailing it to you. If you should require any further assistance, please don't hesitate to contact me.

Sincerely,

Katie Edgar

Kathryn A. Edgar

Environmental Scientist
 US Army Corps of Engineers, Regulatory Branch
 803 Front Street
 Norfolk, VA 23510
 Office (757) 201-7389
 Cell (757) 376-8964
 Fax (757) 201-7678
 e-mail kathryn.a.edgar@usace.army.mil



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

"401 EAST BROAD STREET"
RICHMOND, VIRGINIA 23219-2200
VirginiaDOT.org

GREGORY A. WHIRLEY
ACTING COMMISSIONER

February 27, 2006

Mr. Marcellus C. Kuehner
Director Strategic Planning
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510-9207

Dear Mr. Kuehner:

Subject: Docket No. AB-290 (Sub-No. 269X), Norfolk Southern Railway Company
Abandonment – in Norfolk, Virginia and Virginia Beach, Virginia – 804-861-6507

As requested in your February 15 letter, the Virginia Department of Transportation has reviewed the proposed abandonments shown above and has no objections or comments.

Thank you for the opportunity to comment.

Sincerely,

S. A. Waymack
State Director, Right of Way and Utilities

CC: Ms. Donna L. Braun
Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510-9207



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

41 EAST BROOKS STREET
RICHMOND, VIRGINIA 23219
VirginiaDOT.org

GREGORY A. WHIRLEY
ACTING COMMISSIONER

March 10, 2006

Mr. Marcellus C. Kirchner
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510-2191

Re: Docket No. AB-290 (Sub-No. 269X), Norfolk Southern Railway Company
Abandonment – in Norfolk, Virginia and Virginia Beach, Virginia

Dear Mr. Kirchner:

The Virginia Department of Transportation has reviewed the information provided for the referenced project. Our review covers impacts to existing and proposed transportation facilities. After checking the Six Year Plan and the 2026 Plan, we have concluded that there are no conflicts with current or future construction projects.

Any land use requirements, lane closures, traffic control or work zone safety issues should be closely coordinated with affected counties and VDOT's Norfolk Residency (757-494-2451).

Thank you for the opportunity to comment on this project.

Sincerely,

Mary J. Stanley
Environmental Engineer
Virginia Department of Transportation
(804) 786-0868

APPENDIX D

At-Grade Crossings

Milepost VB-	Location
0 20	Park Avenue
0 30	Brambleton Avenue
0 40	Clay Avenue
1 15	Ballentine/Merrimac
2 25	Ingleside Drive
3 20	Curlew Avenue
3 30	Corporate Boulevard
3 65	Selger Drive
3 75	Private
3 80	MP 3 80
3 90	MP 3 90
4 20	Kidd Boulevard
4 60	Bristol Avenue
4 80	Newtown Road
5 05	Princess Anne Road
5 15	Freight Lane
5 40	MP 5 40
6 30	Greenwich Road
6 50	Witchduck Road
6 76	MP 6 76
6 80	MP 6 80
7 05	Euclid Road
7 53	Kellam Road
7 70	Independence Road
7 85	Garrett Drive
8 05	Constitution Drive
8 50	Private
8 60	S Fir Avenue
8 65	S Thalia Road
8 70	Budding Avenue
9 05	Kentucky Avenue
9 29	S Lynnshore Road
9 90	Rosemont Road
10 40	Plaza Trail
10 50	Private (Lindsey)
11 40	Lynnhaven Road
11 70	Lynnhaven Parkway

12 45	S Great Neck Road
13 10	Private
13 28	Private
13 40	Private
13 60	Potter Road
14 10	First Colonial Road
14 75	Private (Sykes Avenue)
15 16	Birdneck Road

**Environmental Report
Certificate of Service**

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-290 (Sub-No. 293X) was mailed via first class mail on June 15, 2007, to the following parties:

Mr David S Ekern, Commissioner
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219

U S Environmental Protection Agency
Region 3 – Water Protection Division
1650 Arch Street
Philadelphia, PA 19103-2029

Virginia Dept of Environmental Quality
Water Quality Division
P O Box 10009
Richmond, VA 23240

Mr James K Spore, Manager
City of Virginia Beach
2401 Courthouse Drive, Suite 234
Municipal Center Building 1
Virginia Beach, VA 23456

Ms Regina Williams, Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510

Mr Jim Gildea, Assistant Director
Department of Planning and
Community Development
810 Union Street, Room 508
Norfolk, VA 23510

USDA-NRCS
310 Shea Drive
Chesapeake, VA 23322

Ms Karen Mayne
U S Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23601

Ms Kathryn Edgar, Environmental Scientist
U S Army Corps of Engineers
District Regulatory Branch
803 Front Street
Norfolk, VA 23510

Ms Chrysandra Walker, Acting Director
National Park Service
U S Custom House
200 Chestnut Street, Fifth Floor
Philadelphia, PA 19106

National Geodetic Survey
1315 East/West Highway
Silver Spring, MD 20910

Ms Laura McKay
Virginia Coastal Program Manager
Department of Environmental Quality
Division of Environmental Enhancement
629 East Main Street
Richmond, VA 23219

Ms Jayne B Whitney
Vice President - Development
Hampton Roads Transit
3400 Victoria Boulevard
Hampton, VA 23661



Marcellus C. Kirchner

June 15, 2007

Historic Report Proposed Rail Line Abandonment

Proposed Action and Alternatives

Norfolk Southern Railway Company (NSR) proposes to abandon 15.34 miles of rail line between milepost VB 0.12 at a point near Park Avenue in Norfolk, Virginia and VB 15.46 at a point near Birdneck Road at the railroad's Oldfield station in Virginia Beach, Virginia. The line proposed for abandonment, has been dormant for about five years, except for the movement of about one car per month on the segment of the line between milepost VB 0.12 and VB 1.75 until August, 2006. The only alternative would be not to abandon the line and to retain the track in place. This alternative is not satisfactory.

Service on the portion of the line between Milepost VB 1.75 and Milepost VB 15.46 was discontinued effective December 30, 2004 pursuant to a notice of exemption in *Norfolk Southern Railway Company – Discontinuance of Service Exemption – In Norfolk and Virginia Beach, VA*, STB Docket No. AB-290 (Sub-No. 258X) (STB served November 30, 2004). Service on the remaining portion of the line between Milepost VB 0.12 and Milepost VB 1.75 was discontinued effective August 6, 2006 pursuant to the STB decision in *Norfolk Southern Railway Company – Discontinuance of Rail Service- Petition for Exemption – In Norfolk and Virginia Beach, VA*, STB Docket No. AB-290 (Sub-No. 269X) (STB served July 7, 2006).

A map delineating the line proposed for abandonment is attached as **Appendix A**.

The segment of the line located within the City of Norfolk, between Milepost VB 4.8 and its western terminus at Milepost VB 0 12, is the subject of a Memorandum of Understanding in which the City of Norfolk would acquire the right-of-way following abandonment for use as a public transit corridor. No salvage would occur on the Norfolk segment, as it would be acquired with track, bridges and other improvements intact. Once abandoned, the remainder of the line between Milepost VB 4.8 and its eastern terminus at Milepost VB 15.46 could be salvaged of track and materials and the property sold to be put to a more productive use. Such uses could include an extension of the planned light rail transit system or other public uses such as walking or biking trails, a trolley line or a dedicated bus lane. Any of these potential uses would produce long-term environmental and social benefits.

The alternatives to abandonment are to retain the track in place over all portions of the line or to only maintain the track in place to service one active shipper; however these are not feasible alternatives. A large portion of the segment has been dormant with no active rail service and the abandonment of the entire line will provide the City of Norfolk with a corridor over which light rail service can be provided to the residents and visitors of Norfolk, Virginia.

Additional Information

U.S.G.S Topographic Map

Maps were furnished to the Virginia Department of Historic Resources

Written Description of Right of Way

The width of the corridor is 64' Property surrounding the right of way is 35% unimproved, 37% residential 20% industrial and 8% forest

Photographs

Photographs were furnished to the Virginia Department of Historic Resources

Date of Construction of Structures

NSR does not have information to indicate the dates of construction of the railroad bridges listed in **Appendix B**

History of Operations and Changes Contemplated

The Norfolk and Virginia Beach Railroad and Improvement Company constructed the Virginia Beach Line from a point just east of Broad Creek near downtown Norfolk, Virginia to the Virginia Beach Oceanfront from 1882-1883 After several corporate successions described below, the Virginia Beach Line became part of the property of the old Norfolk Southern Railway Company that was incorporated on September 19, 1939 as successor in reorganization to Norfolk Southern Railroad Company Norfolk Southern Railroad Company, which was incorporated in 1910, had been operated under receivership since 1932

In 1974, the Norfolk Southern Railway Company that was incorporated in 1939 was acquired by Southern Railway Company and became part of Southern Railway Company's

railroad system. Southern Railway Company and Norfolk and Western Railway Company, which had been consolidated as subsidiaries under Norfolk Southern Corporation in 1982, merged into a single operating railroad, Norfolk Southern Railway Company, in 1990. Thus, in 1990, the old Norfolk Southern Railway Company property that included the Virginia Beach Line became part of the property of the current, much larger Norfolk Southern Railway Company.

Marshall Parks (1821-1900), a Norfolk, Virginia businessman who owned property on the Atlantic Ocean in Princess Anne County, Virginia which is east of Norfolk, organized the Norfolk and Sewells Point Railroad Company, incorporated by the Virginia General Assembly in March 1872. Princess Anne County was then a sparsely settled rural area with fewer than 9,000 residents. The Norfolk and Sewells Point Railroad Company had little capital and built no track in its nearly ten years of corporate existence. In 1882, Mr. Parks secured additional financing and changed the name of the Norfolk and Sewells Point Railroad Company to the Norfolk and Virginia Beach Railroad and Improvement Company. The Virginia General Assembly approved the reorganization of the company under the new name on January 14, 1882. Later that year, the company purchased the Seaside Hotel and Land Company and that company's land holdings on the oceanfront approximately 6 miles south of Cape Henry.

In 1883, the Norfolk and Virginia Beach Railroad and Improvement Company built and opened a narrow gauge line of railroad approximately 17 miles long, soon thereafter consisting of about 18.9 total miles of track. The line originally ran between Broad Creek, a point about 3 miles east of downtown Norfolk, Virginia and the company's holdings of

approximately 1,600 acres of real estate on the Atlantic Ocean at the eastern end of Princess Anne County, Virginia. The line also ran along the beach for approximately 2 ½ miles. The Virginia Beach Line was built in about seven months because the level terrain and the need to bridge only one waterway of consequence, the Lynnhaven River, made the construction relatively easy. The line originally had a 3-foot narrow gauge and was constructed of steel rail weighing 30 pounds per yard, which was quite light, even for that era. The company originally owned 3 locomotives, 15 passenger cars, 3 box cars and 6 platform cars.

Mr. Parks named the oceanfront area in Princess Anne County, which the Norfolk and Virginia Beach Railroad and Improvement Company owned and planned to develop, "Virginia Beach."

The trip to the oceanfront from downtown Norfolk originally required a short boat ride from a wharf in downtown Norfolk to a landing about three miles away at Broad Creek. The trip to Virginia Beach from Norfolk originally took one hour but the company soon reduced the time to thirty-five minutes. In the summer of 1884, the company completed the line back across Broad Creek and into Norfolk, making possible an all-rail trip from Norfolk to the Atlantic oceanfront at Virginia Beach. The alignment on which the present rail line is constructed is essentially the same as the line in the 1880's.

The Norfolk and Virginia Beach Railroad and Improvement Company encountered financial difficulties soon after its formation. The railroad carried 6,565 passengers over a total of 4,680 miles for the first summer season from July 28, 1883, when the line officially opened, to September 30, 1883. The company's total capital stock and debt outstanding

on this date was \$255,612, of which \$197,000 was owed under 6 percent, 30-year mortgage bonds and \$12,000 was floating debt. The road's earnings of \$5,994.44 did not meet its expenses of \$9,250.00 in 1883. On December 19, 1884, Corporation Court Judge D. Tucker Brooke appointed a receiver for the company. Mr. Parks stepped down as president of the railroad.

In 1884, Pennsylvania Congressman James H. Hopkins of Pittsburgh, one of the company's original directors, replaced Marshall Parks as president of the Norfolk and Virginia Beach Railroad and Improvement Company. Mr. Hopkins could do no more than Mr. Parks had done to keep the company solvent. On May 17, 1887, the railroad, and 1,500 acres of land were sold under foreclosure at public auction for \$170,000 to Mr. C. W. Mackey, also a Pennsylvania Congressman. Mr. Mackey reorganized the company as the Norfolk and Virginia Beach Railroad Company.

The only further information that we have concerning the Virginia Beach Railroad and Improvement Company is that they were the successor company to the Seaside Hotel and Land Development Company, incorporated in 1880, which built the Virginia Beach Hotel and a pavilion at the oceanfront. In the foreclosure sale referenced above, the Virginia Beach Hotel was sold and thereafter remodeled and reopened as the Princess Anne Hotel. Otherwise, we have no information, other than the general information concerning passenger service to the oceanfront area stated in the narrative, on the extent to which the railroad had an impact on the development of Virginia Beach. It should be apparent, however, that with the foreclosure and the sale of the hotel and the oceanfront land owned by the company in 1887, the company played no further direct role in the

development of Virginia Beach except as a rail carrier of passengers and freight.

In 1891, the Norfolk and Virginia Beach Railroad Company acquired the Danville and Seaboard Railroad Company, which had never constructed any track, and consolidated the two companies to form the Norfolk, Albemarle and Atlantic Railroad Company. The consolidation was motivated by the desire of the Norfolk and Virginia Beach Railroad to expand its gauge to standard gauge. The company's charter would not allow this without amendment by the Virginia General Assembly and the company did not want to spend time securing a charter amendment. The Danville and Seaboard Railroad chart enabled anyone with the necessary resources to build a broad-gauge line from Danville to anywhere in Virginia that they desired.

The Norfolk, Albemarle and Atlantic Railroad became insolvent by May 1893, putting railroad improvements and expansion that had been planned for four years on hold. The company had assumed the liability of the interest on bonds issued by its predecessor, which totaled \$25,000. Although the railroad carried a record 142,441 passengers to Virginia Beach for the year ending June 30, 1893, the company's net income of over \$10,000 was not enough to offset its liabilities. As a result, the company was placed in receivership. George S. Jones was named receiver and took possession of all the company's property and accounts on May 25, 1893.

After two years of staving off foreclosure, because of a default of interest payments on certain bonds, the Norfolk, Albemarle and Atlantic Railroad Company suffered a foreclosure sale of its property by decree of court in 1896. The Norfolk, Albemarle and Atlantic Railroad Company was acquired at the public auction by the New York Vanderbilt

interests on April 26, 1896 and reorganized as the Norfolk, Virginia Beach and Southern Railroad Company, which was incorporated under Virginia law in May 1896. The new company had the capital to make necessary improvements, in particular, to finally change the gauge of the track to standard gauge. The Norfolk, Virginia Beach and Southern Railroad soon arranged with the Norfolk and Western Railway Company to run a coach on its famed "Cannonball" train daily between Richmond, Virginia and the siding in Virginia Beach next to the Princess Anne Hotel. The Norfolk, Virginia Beach and Southern Railroad also provided for the sale of tickets from all principal points in the United States and Canada to the lobby of the Princess Anne Hotel at Virginia Beach. Within one year of broadening the gauge of the track in 1897, the number of passengers carried by the railroad between Norfolk and Virginia Beach increased from 113,190 to 148,817.

When the Norfolk, Virginia Beach and Southern Railroad Company acquired the Norfolk, Albemarle and Atlantic Railroad Company, its principal railroad asset was the Virginia Beach Line. The Norfolk, Virginia Beach and Southern Railroad proceeded to build a 22 1/4-mile branch line from Euclid, VA (near present-day Witchduck Road in Virginia Beach) on the Norfolk-Virginia Beach Line to Munden, VA on Currtuck Sound in Princess Anne County, VA. This expansion gave the company a total of 41 miles of rail line. This was the extent of the company's railroad property when Norfolk & Southern Railroad Company acquired the Norfolk, Virginia Beach and Southern in 1900.

Norfolk & Southern Railroad Company bought the property of the Norfolk, Virginia Beach and Southern Railroad Company in January 1900. Norfolk & Southern Railroad Company was a successor to an earlier company that was named Norfolk Southern

Railroad Company This latter name also became the name of the 1910 successor company That company kept the Norfolk Southern Railroad Company name until it was reorganized in 1939 as Norfolk Southern Railway Company

The earlier Norfolk Southern Railroad Company was successor, by change of name effective January 1, 1883 to The Elizabeth City and Norfolk Railroad Company. That company was chartered by special act of the North Carolina Legislature in 1870, to build a line between Elizabeth City, North Carolina, and Norfolk, Virginia. The company completed the line, along with additional mileage to Edenton, North Carolina, in 1881 The 1883 Norfolk Southern Railroad Company went into receivership in 1889. The Norfolk Southern Railroad Company property was sold under foreclosure in May 1891 to the Norfolk & Southern Railroad Company.

In 1904, Norfolk Southern Railroad Company acquired the Chesapeake Transit Company. The Chesapeake Transit Company was an electric, standard-gauge line that was built from Norfolk, Virginia to Cape Henry, Virginia in Princess Anne County on the Atlantic Ocean near the entrance to the Chesapeake Bay It was then built down the oceanfront to Virginia Beach, Virginia The Chesapeake Transit Company line was opened for operation in November 1902. The Chesapeake Transit Company line was built to compete with the Norfolk & Southern Railroad Company's line to Virginia Beach, but separate operations of the two lines were not economically feasible and did not provide the best service to the public The Chesapeake Transit Company line consisted of 26.3 miles of route mileage when taken over by the Norfolk & Southern Railroad Company in 1904 The combined trackage of the two companies then constituted a single-track loop enabling

operations in both directions between Norfolk and the Virginia Beach resort area on to Cape Henry and finally back to Norfolk through the use of sidetracks. After the combination of the two companies' lines, the company had the loop trackage electrified.

In 1904, Norfolk & Southern Railroad built a 7.40 mile extension to connect Euclid, Virginia Beach, on the line eastward from Norfolk, Virginia to Providence Junction, Virginia, which was on a disconnected line running southward from Norfolk, Virginia. Other track building and acquisitions brought the total mileage of the "Beach Lines" (between Norfolk, Virginia and Virginia Beach, Virginia, most of which was then Princess Anne County, Virginia) and the two branches from Euclid, Virginia in Princess Anne County, to about 80 miles of line.

In 1906, Norfolk & Southern Railroad Company, Virginia & Carolina Coast Railroad Company, Raleigh and Pamlico Sound Railway Company and Atlantic and North Carolina Company consolidated to form Norfolk & Southern Railway Company. One of the other predecessor companies included in the 1906 consolidation that formed Norfolk & Southern Railway Company was The Suffolk and Carolina Railway Company. Also in 1906, Bernard P. Holland, who had risen to the job of superintendent of the railroad at Virginia Beach by 1894 and who had assumed management of the Princess Anne Hotel on August 1, 1894, became the first mayor of the newly incorporated town of Virginia Beach, Virginia.

In 1906 the Norfolk & Southern Railway built Seaside Park, a vast amusement area at what is now 30th Street, in order to attract additional passengers. One source indicates the park did not open until 1912. Just as the railroad was trying to attract additional ridership, a severe loss was incurred when just before dawn on June 10, 1907, a fire broke out

in the kitchen of the Princess Anne Hotel and it was destroyed. This loss hurt the railroad for many years to come because the line to Virginia Beach depended to a greater extent than many other lines on revenue from passenger traffic. It was about twenty years before a large, first-class hotel, the Cavalier Hotel, was again built at Virginia Beach.

In 1910, Norfolk & Southern Railway Company was reorganized and reincorporated as Norfolk Southern Railroad Company. Norfolk Southern Railroad Company then comprised a continuous connected system of 504 miles of railroad from Norfolk, Virginia and Suffolk, Virginia on the north to Raleigh, North Carolina on the west, and to New Bern, North Carolina on the south. The network also included branches from Norfolk, Virginia to Virginia Beach, Virginia and Munden, Virginia, from Mackey's Ferry, North Carolina to Columbia, North Carolina and Belhaven, North Carolina and from New Bern, North Carolina to Oriental, North Carolina. In addition to this owned property, the company operated under lease the 95 miles of line of the Atlantic and North Carolina Railroad, which, with a disconnected piece of company owned track mileage between Morehead City, North Carolina and Beaufort, North Carolina gave the company a line westward from Beaufort, North Carolina through New Bern, North Carolina to Goldsboro, North Carolina.

In 1913, Raleigh, Charlotte and Southern Railroad Company merged into Norfolk Southern Railroad Company. By January 1, 1914, after absorption in 1913, of the Raleigh, Charlotte & Southern Railway Company, Norfolk Southern Railroad Company owned 787 miles of rail line and leased another 113 miles of rail line.

Beginning in June 1928, direct Pullman service over the lines of the Norfolk and Western Railway Company and the Norfolk Southern Railroad Company became available.

between Chicago, IL and the Cavalier Hotel in Virginia Beach. The Cavalier Hotel had opened in April 1927. Direct Pullman runs also started between New York and Washington and the Cavalier Hotel in that same month. The Pullman service continued until nearly the time the passenger service on the Virginia Beach Line ceased to operate in 1947. The segment of the Virginia Beach Line up the beachfront was abandoned in 1948.

Freight traffic on the Virginia Beach Line during the 1920s and 1930s consisted of food, mainly potatoes and produce, coal, lumber and sand and gravel. The line was never very profitable. It became even more uneconomical to operate the line, especially the track along the oceanfront and to Pungo, Back Bay and Munden, with the rapid decline in passenger traffic in the 1930s that accompanied the rise of the automobile and the construction of good, paved roads.

In 1935, Norfolk Southern introduced "railbus" cars, similar to trolleys, for service on the line. Maintenance of track and equipment suffered during World War II in part due to wartime shortages of materials. Then in late 1947, passenger service on the Virginia Beach Line ceased and was formally discontinued on Norfolk Southern Railway Company lines in 1948. In 1961, the Norfolk Terminal Station was razed and Norfolk Southern Railway Company moved its headquarters to Raleigh, NC.

Southern Railway Company acquired Norfolk Southern Railway Company, along with its Durham and South Carolina Railroad Company and Norfolk Southern Industrial Development Corporation subsidiaries, on January 1, 1974, pursuant to an ICC decision in ICC Finance Docket Nos. 27078 and 27079, for \$19,479,616 (374,608 shares of serial preference stock). Carolina and Northwestern Railway Company merged into Norfolk

Southern Railway Company, January 1, 1974, pursuant to the same ICC decision in ICC Finance Docket Nos 27078 and 27079

On June 1, 1982, Norfolk and Western Railway Company, headquartered in Roanoke, Virginia, and Southern Railway Company, headquartered in Washington, DC with a substantial number of its offices also in Atlanta, Georgia, and their subsidiaries, consolidated as subsidiaries of Norfolk Southern Corporation, a non-carrier holding company, pursuant to authority granted by the Interstate Commerce Commission Norfolk Southern Corporation made Norfolk, Virginia its corporate headquarters

After the Norfolk and Western Railway Company and Southern Railway Company consolidation as subsidiaries of Norfolk Southern Corporation, the Carolina and Northwestern Railway Company name was revived when Norfolk Southern Railway Company's name was changed to Carolina and Northwestern Railway Company to prevent confusion of the name of the smaller Southern Railway Company subsidiary with that of the larger parent holding company

Durham and South Carolina Railroad Company was merged into Carolina and Northwestern Railway Company on April 1, 1987 Danville and Western Railway Company was merged into Carolina and Northwestern Railway Company on July 1, 1987. Assets of Southern Railway Company's Blue Ridge Railway Company subsidiary was transferred to Carolina and Northwestern Railway Company and Blue Ridge Railway Company dissolved November 18, 1987 On June 1, 1988, Carolina and Northwestern Railway Company was merged into Southern Railway Company

Effective December 31, 1990, Norfolk and Western Railway Company became a subsidiary of Southern Railway Company, which changed its name to Norfolk Southern Railway Company and remained as a subsidiary of Norfolk Southern Corporation. Norfolk and Western Railway Company thus became a wholly owned subsidiary of Norfolk Southern Railway Company rather than a subsidiary of Norfolk Southern Corporation.

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. The transaction was undertaken to simplify NSR's corporate structure and eliminate costs associated with separate accounting, tax, bookkeeping and reporting functions.

Norfolk Southern Corporation ("NSC"), parent to Norfolk Southern Railway Company ("NSR"), entered into a Transaction Agreement (the "Conrail Transaction Agreement") among NSC, NSR; CSX Corporation ("CSX"); CSX Transportation, Inc. ("CSXT"), a wholly-owned subsidiary of CSX, Conrail Inc. ("CRR"), Consolidated Rail Corporation ("Conrail"), a wholly-owned subsidiary of CRR, and CRR Holdings LLC, dated June 10, 1997, pursuant to which CSX and NSC indirectly acquired all the outstanding capital stock of CRR. The Conrail Transaction Agreement was approved by the Surface Transportation Board ("STB") in a decision served July 23, 1998 in STB Finance Docket No. 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements - Conrail Inc. and Consolidated Rail Corporation*. The transaction was closed and became

effective June 1, 1999.

Throughout the history of operations in the Virginia Beach, Virginia and Norfolk, Virginia areas, several abandonments have been consummated.

In 1943, pursuant to authorization received in 1942 from the Interstate Commerce Commission (ICC), predecessor of the Surface Transportation Board (STB), Norfolk Southern Railway abandoned 5.09 miles of line between Back Bay (Pungo), Virginia and Munden, Virginia in Princess Anne County, Virginia. In 1948, Norfolk Southern Railway Company abandoned 3.5 miles of the Beach Lines, 1.65 of the 16.9 miles of line between Euclid, Virginia and Back Bay, Virginia and 6.29 of the 7.31 miles of line between Euclid, Virginia and Providence, Virginia in Princess Anne County, Virginia.

In 1950, Norfolk Southern Railway Company abandoned the two small remaining segments of 0.4 miles and 0.98 miles of the two Euclid branches.

Norfolk Southern Railway Company also abandoned 6.58 miles of the Beach Lines consisting of the Cape Henry-Virginia Beach-Lake Station segment. The 1948 and 1950 rail line abandonments facilitated the building or expansion of several roads, including Pacific Avenue, one block west of the closest street paralleling the Oceanfront in Virginia Beach.

In 1954, Norfolk Southern Railway Company abandoned another 8.35 miles of the Beach Lines between Little Creek and Cape Henry.

In 1955, Norfolk Southern Railway Company abandoned a 0.93-mile segment of the Beach Lines, reducing the railroad mileage operated in Norfolk and Princess Anne County, Virginia (Virginia Beach) to about half of its original size.

In 1971, Norfolk Southern Railway Company abandoned another 0.66-mile segment of the Beach Lines.

In 1977, Norfolk Southern Railway Company abandoned a 1.36-mile segment of rail line between Diamond Springs, Virginia and Shelton, Virginia in the City of Virginia Beach, Virginia.

In 1995, Norfolk Southern Railway Company abandoned a 1.64-mile line between Milepost VB 15.46 near Birdneck Road and Milepost VB 17.1 near Mediterranean Avenue at Virginia Beach, Virginia at the Oceanfront. Norfolk Southern sold the property to the City of Virginia Beach for intended use as a bike and walking trail.

Two studies of the Norfolk and Western Railway Company and Southern Railway Company systems provide detailed information on their history. They are E. F. Pat Striplin, *The Norfolk and Western. A History* (Roanoke, Va: The Norfolk and Western Railway Co., 1981) and Burke Davis, *The Southern Railway: Road Of The Innovators* (Chapel Hill, N.C.: University of North Carolina Press, 1985). Historical information on many of the railroads is also provided in the early archives of these railroads which are now in the collections on deposit at Virginia Polytechnic Institute and State University.

Norfolk and Virginia Beach both lie on the Chesapeake Bay and are part of a broader area known as Hampton Roads, named to honor Henry Wriothesley, Earl of Southampton and Treasurer of the Virginia Company in London. The earliest known inhabitants and first known history of the area dates back to 9500 B.C. Prior to 1607 the Chesapeake Indians inhabited the area with a settlement near Great Neck Point located in what is now known as Virginia Beach. This settlement was called the Chesepeoc.

Settlement A second settlement, the Skicoac Settlement, was located in what is now known as Norfolk. By the time English colonists reached the area these Indian settlements had been destroyed by the Powhatan Indians. In 1607 the first English ships arrived at Cape Henry, located in Virginia Beach. In 1634 the area consisted of 8 shires or counties. Virginia Beach and Norfolk were both part of the Elizabeth City Shire. Sometime between 1634 and 1691 Norfolk County was created and named for a county in England. In 1691 the Lower portion of Norfolk County was taken to form Princess Anne County which was named in honor of the youngest daughter of King James. Princess Anne County later merged into the City of Virginia Beach.

Norfolk incorporated as a city in 1845 and has long been an important seaport and served as an early center of trade with England and the West Indies. The city has also been plagued with many catastrophes including complete destruction at the hands of Colonial troops to prevent the British from occupying the territory during the Revolutionary War. Norfolk was the only American town completely destroyed and rebuilt. The city also survived a large fire in 1804 which destroyed more than 300 homes and warehouses and the Yellow Fever in 1855 which claimed one-third of Norfolk's residents. During the Civil War Norfolk suffered destruction again, but its waterways and fertile farmland enabled it to quickly recover. Railroads opened the way for transportation of coal to the Norfolk port and enabled trade activities that made Norfolk a great world port.

The first landfall of the Jamestown colonists in 1607 was at Cape Henry, in the northeastern part of what is now called Virginia Beach, however, the settlers quickly left the area because they were unable to grow food. Today, the site is within the boundaries

of Fort Story, a U.S. Army installation used for training by the Army, Navy, and Marines. Since the 1880's Virginia Beach has been a popular resort destination, with passenger rail service beginning in 1883 to transport visitors from Norfolk to the oceanfront. Railroad operations are an integral part of the history of the area and have contributed to trade, commerce and overall economic success. The city is the most populous in the Commonwealth of Virginia and the fortieth largest city in the United States. Virginia Beach is listed in the *Guinness Book of Records* as having the longest pleasure beach in the world and it is located at the southern end of the Chesapeake Bay Bridge-Tunnel, the longest bridge-tunnel complex in existence. Virginia Beach incorporated as a town in 1908 and as a city in 1952.

Sources concerning the development of Virginia Beach, which contain some references to the railroad line between Norfolk and the oceanfront at Virginia Beach include Stephen S. Mansfield, *Princess Anne County and Virginia Beach: A Pictorial History* (Virginia Beach: Donning, 1989), The Virginia Beach Public Library (team of 5 writers), *The Beach, A History of Virginia Beach, Virginia*, revised edition, 1996; an Internet essay by J. Mark Souther, *Twixt Ocean and Pines: The Seaside Resort at Virginia Beach, 1880-1907* and an Internet site *MEET MARSHALL PARKS, Founder of Virginia Beach* by C. W. Tazewell, Editor, which in turn contains references to some stories in the Virginian-Pilot newspaper of Norfolk, VA, mainly from the 1980s. *Norfolk: The First Four Centuries*, by Thomas C. Parramore with Peter C. Stewart and Tommy L. Bogger, *Norfolk, Virginia. The Sunnse City by the Sea, A Tribute to Photographer Carroll H. Walker, Sr.*, by Amy Waters Yarsinske, and *Norfolk: Historic Southern Port*, by Thomas J. Wertenbaker with

Marvin W Schlegel are among the sources for additional information on the history of the City of Norfolk.

Summary of Documents in Carrier's Possession that Might be Useful for Documenting a Structure that is Found to be Historic

While plans may be available for the structures on the line, it is most likely that any such plans are standard plans used for the construction of similar structures on the dates of construction

Opinion Regarding Criteria for Listing in the National Register of Historic Places

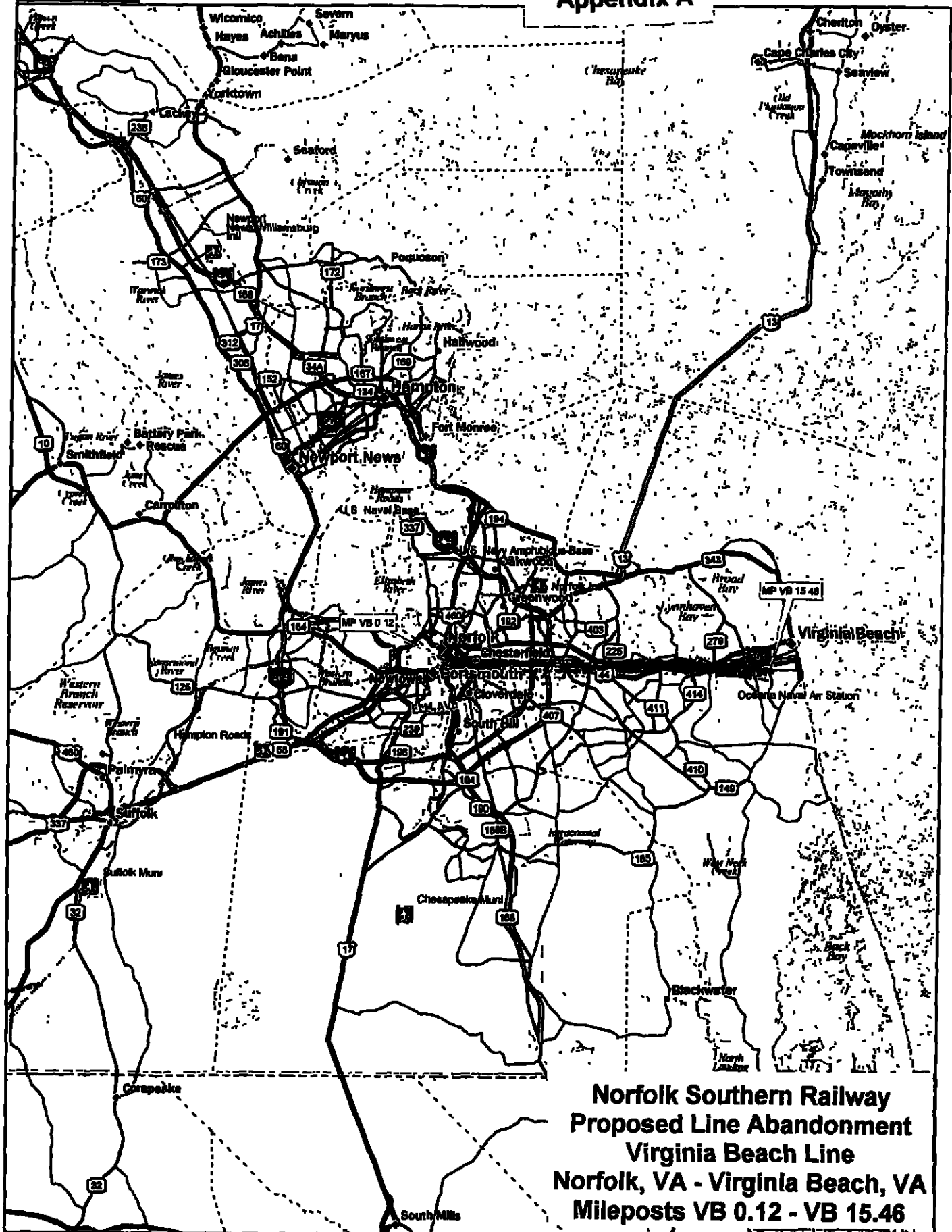
NSR's opinion is that neither the structures on the line to be abandoned nor the line itself meets the criteria for listing in the National Register of Historic Places. The only structures on the line are bridges, there are no railroad buildings or other types of structures present. The bridges are mostly very short and are all relatively modern and ordinary in design and construction. None of the present bridges is original to the line. The bridge structures are not distinguished in any way. The line passes through industrial, residential and unimproved areas. NSR has no reason to believe that there is any likelihood of finding historic properties on the line proposed for abandonment.

Subsurface Ground Conditions that Might Affect Archaeological Recovery

NSR is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the line and any salvage of material from its surface which may occur will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad line by grading and filling. Abandonment and any salvage of the line which may occur will not result in activities below the surface, or below the level of initial disturbance.

Follow-Up Information

NSR will provide any relevant and available additional information as required or appropriate.



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Scale 1 400,000
1" = 6.31 mi Data Zoom 9-0

Appendix B

Norfolk Southern Railway Company
Abandonment in Norfolk and Virginia Beach, Virginia
Bridge List

Milepost	Spans	Bridge Type	Deck Construction	Length in Feet	Year Constructed	Name of Crossing
VB 0 90	4	Timber Trestle	Open	52	unknown	Ohio Creek
VB 2 00	6	Timber Trestle	Open	74	unknown	Cedar Creek
VB 2 80	76	Mixed Span	Open	1,014	unknown	Broad Creek
VB 4 30	2	Concrete Box	Ballast	20	unknown	waterway
VB 8 30	10	Timber Trestle	Open	120	unknown	Thalia Creek
VB 12 10	13	Timber Trestle	Open	162	unknown	London Bridge



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

Marcellus C. Kirchner
Director Strategic Planning
(757) 629-2679
(757) 823-5807 FAX

June 15, 2007

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

RE. STB Docket No AB-290 (Sub-No 293X), Norfolk Southern Railway
Company - Abandonment - in Norfolk, Virginia and Virginia Beach, Virginia

Dear Ms. Kilpatrick:

Norfolk Southern Railway Company soon expects to file with the Surface Transportation Board a Petition for Exemption seeking authority to abandon 15.34 miles of rail line between railroad mileposts VB 0 12 and VB 15.46 in Norfolk and Virginia Beach, Virginia. Enclosed is a Historic Report describing the proposed action and any expected historic effects, as well as a map of the affected area, a topographical map, and photographs of the structures on the line

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, 395 E Street, S W, Washington, D C 20423-0001, Telephone (202) 245-0295, 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 us) would be appreciated as soon as possible. Please refer your comments to me by mail at the above address or by email at marc.kirchner@nscorp.com

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 do not hesitate to contact me.

Sincerely,



Marcellus C Kirchner

Enclosures
cc James R Paschall, Esq

**Historic Report
Certificate of Service**

Pursuant to the requirements of 49 C F R § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-290 (Sub-No. 293X) was mailed via first class mail on June 15, 2007 to

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

A handwritten signature in black ink, appearing to read 'Marcellus C. Kirchner', written over a horizontal line.

Marcellus C. Kirchner

June 15, 2007

The Virginian-Pilot

Notary Janet D. [Signature] My commission expires January 31, 2008

National, or Southern, Railroad Company (NSR) was
 purchased on about July 18, 1907, by William D.

and the Southern Railroad Company (SIB) Washington, D.C.
 20423. After two or three years of operation, SIB was

The first approval requirements of 1907, S.C. 10902, 10903, 10904, 10905, 10906, 10907, 10908, 10909, 10910, 10911, 10912, 10913, 10914, 10915, 10916, 10917, 10918, 10919, 10920, 10921, 10922, 10923, 10924, 10925, 10926, 10927, 10928, 10929, 10930, 10931, 10932, 10933, 10934, 10935, 10936, 10937, 10938, 10939, 10940, 10941, 10942, 10943, 10944, 10945, 10946, 10947, 10948, 10949, 10950, 10951, 10952, 10953, 10954, 10955, 10956, 10957, 10958, 10959, 10960, 10961, 10962, 10963, 10964, 10965, 10966, 10967, 10968, 10969, 10970, 10971, 10972, 10973, 10974, 10975, 10976, 10977, 10978, 10979, 10980, 10981, 10982, 10983, 10984, 10985, 10986, 10987, 10988, 10989, 10990, 10991, 10992, 10993, 10994, 10995, 10996, 10997, 10998, 10999, 11000, 11001, 11002, 11003, 11004, 11005, 11006, 11007, 11008, 11009, 11010, 11011, 11012, 11013, 11014, 11015, 11016, 11017, 11018, 11019, 11020, 11021, 11022, 11023, 11024, 11025, 11026, 11027, 11028, 11029, 11030, 11031, 11032, 11033, 11034, 11035, 11036, 11037, 11038, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11048, 11049, 11050, 11051, 11052, 11053, 11054, 11055, 11056, 11057, 11058, 11059, 11060, 11061, 11062, 11063, 11064, 11065, 11066, 11067, 11068, 11069, 11070, 11071, 11072, 11073, 11074, 11075, 11076, 11077, 11078, 11079, 11080, 11081, 11082, 11083, 11084, 11085, 11086, 11087, 11088, 11089, 11090, 11091, 11092, 11093, 11094, 11095, 11096, 11097, 11098, 11099, 11100, 11101, 11102, 11103, 11104, 11105, 11106, 11107, 11108, 11109, 11110, 11111, 11112, 11113, 11114, 11115, 11116, 11117, 11118, 11119, 11120, 11121, 11122, 11123, 11124, 11125, 11126, 11127, 11128, 11129, 11130, 11131, 11132, 11133, 11134, 11135, 11136, 11137, 11138, 11139, 11140, 11141, 11142, 11143, 11144, 11145, 11146, 11147, 11148, 11149, 11150, 11151, 11152, 11153, 11154, 11155, 11156, 11157, 11158, 11159, 11160, 11161, 11162, 11163, 11164, 11165, 11166, 11167, 11168, 11169, 11170, 11171, 11172, 11173, 11174, 11175, 11176, 11177, 11178, 11179, 11180, 11181, 11182, 11183, 11184, 11185, 11186, 11187, 11188, 11189, 11190, 11191, 11192, 11193, 11194, 11195, 11196, 11197, 11198, 11199, 11200, 11201, 11202, 11203, 11204, 11205, 11206, 11207, 11208, 11209, 11210, 11211, 11212, 11213, 11214, 11215, 11216, 11217, 11218, 11219, 11220, 11221, 11222, 11223, 11224, 11225, 11226, 11227, 11228, 11229, 11230, 11231, 11232, 11233, 11234, 11235, 11236, 11237, 11238, 11239, 11240, 11241, 11242, 11243, 11244, 11245, 11246, 11247, 11248, 11249, 11250, 11251, 11252, 11253, 11254, 11255, 11256, 11257, 11258, 11259, 11260, 11261, 11262, 11263, 11264, 11265, 11266, 11267, 11268, 11269, 11270, 11271, 11272, 11273, 11274, 11275, 11276, 11277, 11278, 11279, 11280, 11281, 11282, 11283, 11284, 11285, 11286, 11287, 11288, 11289, 11290, 11291, 11292, 11293, 11294, 11295, 11296, 11297, 11298, 11299, 11300, 11301, 11302, 11303, 11304, 11305, 11306, 11307, 11308, 11309, 11310, 11311, 11312, 11313, 11314, 11315, 11316, 11317, 11318, 11319, 11320, 11321, 11322, 11323, 11324, 11325, 11326, 11327, 11328, 11329, 11330, 11331, 11332, 11333, 11334, 11335, 11336, 11337, 11338, 11339, 11340, 11341, 11342, 11343, 11344, 11345, 11346, 11347, 11348, 11349, 11350, 11351, 11352, 11353, 11354, 11355, 11356, 11357, 11358, 11359, 11360, 11361, 11362, 11363, 11364, 11365, 11366, 11367, 11368, 11369, 11370, 11371, 11372, 11373, 11374, 11375, 11376, 11377, 11378, 11379, 11380, 11381, 11382, 11383, 11384, 11385, 11386, 11387, 11388, 11389, 11390, 11391, 11392, 11393, 11394, 11395, 11396, 11397, 11398, 11399, 11400, 11401, 11402, 11403, 11404, 11405, 11406, 11407, 11408, 11409, 11410, 11411, 11412, 11413, 11414, 11415, 11416, 11417, 11418, 11419, 11420, 11421, 11422, 11423, 11424, 11425, 11426, 11427, 11428, 11429, 11430, 11431, 11432, 11433, 11434, 11435, 11436, 11437, 11438, 11439, 11440, 11441, 11442, 11443, 11444, 11445, 11446, 11447, 11448, 11449, 11450, 11451, 11452, 11453, 11454, 11455, 11456, 11457, 11458, 11459, 11460, 11461, 11462, 11463, 11464, 11465, 11466, 11467, 11468, 11469, 11470, 1147

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