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VIA ELECTRONIC FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

November 16, 2009

**ENTERED
Office of Proceedings**

NOV 16 2009

**Part of
Public Record**

Re: East Tennessee Railway, L.P.
- Exempt Abandonment -
In Washington and Carter Counties, TN
STB Docket No. AB-1031 (Sub-No. X)
Supplement to Environmental and Historic Report

Dear Ms. Brown:

Since the Environmental and Historic Report was filed in this proceeding on October 23, 2009, the Applicant has received two additional responses to its consultations with agencies:

- (1) On October 27, 2009, the US Army Corps of Engineers telephoned to obtain details on the proposed action.
- (2) On November 5, 2009, Applicant received an email with respect to possible geodetic survey markers in the area of the proposed abandonment. *See* the email attached hereto.

Also enclosed is an updated Response Log (Exhibit C to the Environmental and Historic Report.

Please add this letter and the enclosures to the environmental record in this proceeding.

Respectfully,

Eric M. Hocky

EMH/e

Enclosures

cc: ETRY (by email; w/encls.)
All parties on service list

(P0085252)

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**** Forwarded on Fri 11/6/2009 09:09 AM ****

From: Simon Monroe (Simon.Monroe@noaa.gov)
Sent: Thu 11/5/2009 04:43 PM
Rcvd: Thu 11/5/2009 04:43 PM
To: Lydon, Carol (CLYDON)
CC: Hocky, Eric M. (EHOCKY); Surface Transportation Board (sea@stb.dot.gov); Surveyorlady@yahoo.com; Gilbert Mitchell (Gilbert.Mitchell@noaa.gov); Simon Monroe (Simon.Monroe@noaa.gov)
Subject: [NGS Response, STB Docket AB-1031 (SUB NO. X)]

Thank you for sharing your railroad abandonment environmental report for
Johnson City, Washington, Carter Counties, TENNESSEE.

Approximately 07 geodetic survey marks may be located in the area
described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic
station

marks are described on the attached file. Additional advice is provided
at

<http://geodesy.noaa.gov/marks/railroads/>

|Dist|PID...|H V|Vert_Source|Latitude.....|Longitude.....|Stab|Designation

|-----|-----|-----|-----|-----|-----|-----|-----|

|...|GA0451|. 2|88/ADJUSTED|N361837.....|W0821740.....|C...|D 105

|...|GA0578|. 2|88/ADJUSTED|N361938.....|W0821611... ..|C...|E 58

|...|GA0579|. 2|88/ADJUSTED|N362039.....|W0821456.....|C...|F 58

|...|GA0582|. 2|88/ADJUSTED|N362045.....|W0821257.....|C...|H 58

|...|GA0580|. 2|88/ADJUSTED|N362049.....|W0821304.....|C...|J 58

|...|GA0404|. 1|88/ADJUSTED|N362057.....|W0821300.....|C...|W 11

[....|GA0581|. 2|88/ADJUSTED|N362038.....|W0821247.....|C...|G 58

**ENVIRONMENTAL/HISTORICAL/COASTAL CONTACT LIST
FOR THE "ETRY" ABANDONMENT**

**East Tennessee Railway – Abandonment – Washington and Carter Counties, Tennessee
STB Docket No. 1031 (Sub-No. X)**

AGENCY	CONTACT	DATE SENT/RESPONSE REC'D	FORM OF RESPONSE/SUMMARY
Tennessee State Planning Office 500 Charlotte Avenue 309 John Sevier Building Nashville, TN 37219		Consultation letter – 11/25/08	Rec'd t/c from Charles Nelson, TN State Library/Archives. He advised that the State Planning Office was abolished 12 years ago. His number is (615) 741-1549.
State of Tennessee Office of Freight & Rail Suite 1800 James K. Polk Bldg. Nashville, TN 37243		Consultation letter – 11/25/08	
Tennessee Dept. of Environmental Conservation L & C Annex, 1 st Floor 401 Church Street Nashville, TN 37243	Andy Binford, Dept. of Env. and Conservation Darrell Hale, (423) 854-5463	Consultation letter – 11/25/08	Rec'd letter 12/16/08 advising that they have been in contact with Johnson City and a consultant regarding this matter. Two DoR sites are listed (Inland Container and the Bemberg site). T/C with Darrell Hale. He advised that the abandonment will <i>not</i> affect the two DOR sites listed in the 12/16/08 letter, however, they were required to mention them in a response.
Tennessee Dept. of Environmental Conservation Johnson City Field Office 2305 Silverdale Road Johnson City, TN 37601-2162		Consultation letter – 11/25/08	

AGENCY	CONTACT	DATE SENT/RESPONSE REC'D	FORM OF RESPONSE/SUMMARY
Tennessee Dept. of Environmental Conservation Ground Water Protection Alan Schwendimann, Director 10 th Floor, L & C Tower 401 Church Street Nashville, TN 37243		Consultation letter – 11/25/08	12/15/08 – Rec'd letter from Mr. Schendimann advising that the Division of GWP believes it is doubtful that abandonment will impact existing SSD systems. If it does become necessary, GWP staff will assist.
George Jaynes, County Mayor Washington County Courthouse in Jonesborough P.O. Box 219 Jonesborough, TN 37659		Consultation letter – 11/25/08	
Johnny Holder, County Mayor Carter County 801 East Elk Avenue, Suite 201 Elizabethton, TN 37643		Consultation letter – 11/25/08	
U.S. Environmental Protection Agency Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303-8960		Consultation letter – 11/25/08	

AGENCY	CONTACT	DATE SENT/RESPONSE REC'D	FORM OF RESPONSE/SUMMARY
U.S. Fish & Wildlife Service Resident Agency in Charge Office 222 Great Circle Road Suite 150 Nashville, TN 37228-1738	Mary Jennings	Consultation letter – 11/25/08	12/19/08 – Letter received – no significant impact to wetlands or federal listed endangered or threatened species are anticipated. 10/29/09 – per email, report was forwarded to Tennessee Ecological Services Field Office with the U.S. Fish and Wildlife Service in Cookeville TN, attn: Mary Jennings.
U.S. Army Corps of Engineers Civil Works Office U.S. Army Engineer District -- Nashville P.O. Box 1070 110 Ninth Ave. S Nashville, TN 37202-1070		Consultation letter – 11/25/08	10/27/09 – Telephone call requesting information on where to direct the report. It wanted specifics on what we were going to do – advised that we were abandoning the portion as indicated and taking up the tracks. He would forward our report to their archeologist and their environmental group.
National Park Service, Southeast Region David Vela, Regional Director National Park Service 100 Alabama Street, SW 1924 Building Atlanta, GA 30303		Consultation letter – 11/25/08	

AGENCY	CONTACT	DATE SENT/RESPONSE REC'D	FORM OF RESPONSE/SUMMARY
Tennessee Natural Resources Conservation Service Kevin Brown, State Conservationist 675 U.S. Courthouse 801 Broadway Nashville, TN 37203		Consultation letter – 11/25/08	
Natural Resources Conservation Service Dave Merinar, District Conservationist Elizabethon Service Center 419 Elk Ave. Elizabethon, TN 37643-2596		Consultation letter – 11/25/08	
Natural Resources Conservation Service Gary Ovillen, District Conservationist Jonesborough Service Center 1105 E. Jackson Street Jonesborough, TN 37659-4775		Consultation letter – 11/25/08	
Mr. Richard A. Snay Chief, Spatial Reference System Division United States Department of Commerce NOAA, N/NGS2 SSMC3, Room 8828 1315 East-West Highway Silver Spring, MD 20910		Consultation letter – 11/25/08	11/5/09 – Email advising of geodetic survey markers in area. ETRY is required to notify the agency if marks will be disturbed.
*City of Johnson City, Tennessee 601 East Main Street P.O. Box 2150 Johnson City, TN 37605	Robert L. Wilson, Jr., Assistant City Manager		1/19/09 – Received a letter from Mr. Wilson requesting that Johnson City be made a party to the proceedings and receive copies of all mailings and submissions. Added to mailing list on same date.

AGENCY	CONTACT	DATE SENT/RESPONSE REC'D	FORM OF RESPONSE/SUMMARY
E. Patrick McIntyre, Jr., Executive Director Tennessee Historical Commission 2941 Lebanon Road Nashville, TN 37243-0442		Consultation letter - 11/25/08	12/18/08 - Received letter from Commission outlining steps to be taken and documents which need to be submitted prior to obtaining approval of abandonment.
COASTAL CONSULT		NO AGENCY FOR TENNESSEE - NO CONSULT LETTER SENT	

** Bob Richards, TN State Greenways and Trails, (615) 532-0753 to 12/15/08, left message. I called back same day and left message. The letter was originally sent to TN Dept. of Environmental and Conservation Ground Water and given to Mr. Richards. He wanted to know who owns the land where the track is laid down. He stated that he has been in talks with Johnson City concerning this matter. I explained that I had very few details on the abandonment and suggested that I talk to EH and the client, but he was not interested in getting more information.