



Dave Geraci
Manager - Network Rationalization

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EI-15137

KB

September 26, 2008

Surface Transportation Board
Section of Environmental Analysis
395 East Street, SW
Washington, DC 20423-0001

RE: CSXT Abandonment
Indianapolis, Marion County, IN
STB Docket AB-55 (Sub-No. 688X)

Dear STB - SEA:

This refers to CSX Transportation's Notice of Exemption filed on September 15, 2008, requesting authority to abandon its rail line described above. Enclosed please find a copy of a letter dated September 17, 2008 from Mr. Matthew Buffington of the State of Indiana Department of Natural Resources. Based on these comments, I called Ms. Christie Stanifer today to discuss. The outcome of that conversation has been captured in my response letter which is further attached.

Sincerely,

Attachments

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202



Dave Geraci
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September 26, 2008

Ms. Christie Stanifer
Indiana Department of Natural Resources
402 West Washington - Room W264
Indianapolis, IN 46204-2784

Re: CSXT Proposed Abandonment
STB Docket AB 55 Sub No. 688X
DNR# ER-13451

Dear Ms. Stanifer:

This letter will confirm our conversation today regarding the letter received from your office dated September 17, 2008.

In regards to your concerns under Regulatory Assessment, CSXT will not construct, excavate, or fill in or on the floodway way of a stream of other flowing waterway. There are no bridges or waterways on this line segment which would be impacted, moreover, below is CSXT's salvage procedures as outlined in the Environmental Report submitted on August 7, 2008 (Section 9 (ii) page 6):

"Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying road-bed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways."

In regards to your concerns regarding Fish and Wildlife, CSXT does not concur with the comments regarding the re-vegetation of the line segment. Since the line segment can potentially be marketed, post abandonment, as a corridor and the ballast not removed, it would not be in our best interest to allow vegetation to grow where it has been impeded for many decades. Be advised that comments were received from Mr. Scott Pruitt of the US Fish & Wildlife Service stating that he took no objection to the proposed actions. (letter attached)

Thank you for you comments and I look forward to working with you again in the future.

Best regards,

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

Attachment

Cc: Mr. Steve Armbrust
STB - SEA

THIS IS NOT A PERMIT

**State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Water**

Early Coordination/Environmental Assessment

DNR #: ER-13451 **Request Received:** July 18, 2008

Requestor: CSX Transportation
Dave Geraci
500 Water Street - J200
Jacksonville, FL 32202

Project: Proposed abandonment of a portion of the Arlington Industrial Track (from milepost QIA 1.11 to QIA 0.1), Indianapolis; STB Docket #AB55--Sub #688X

County/Site info: Marion

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

Regulatory Assessment: This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: Fish, wildlife, and botanical resource losses as a result of this project can be minimized through implementation of the following measure.
Revegetate all bare and disturbed areas within the project limits using a mixture of grasses, sedges, and wildflowers native to Central Indiana as soon as possible upon completion.

Contact Staff: Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please do not hesitate to contact the above staff member at (317) 232-4160 or 1-877-928-3755 (toll free) if we can be of further assistance.



Date: September 17, 2008

J. Matthew Buffington
Environmental Supervisor
Division of Fish and Wildlife

Attachment 8



United States Department of the Interior
Fish and Wildlife Service



Bloomington Field Office (ES)
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273

July 24, 2008

Mr. Dave Geraci
CSX Transportation
500 Water Street – J200
Jacksonville, FL 32202

Project No: Abandonment of rail line – Arlington Industrial Track
County(ies): Marion

Dear Mr. Geraci:

This responds to your letter dated July 15, 2008, requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U.S. Fish and Wildlife Service's Mitigation Policy.

Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no objections to the project as currently proposed. This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

We appreciate the opportunity to comment at this early stage of project planning. If project plans change such that fish and wildlife habitat may be affected, please re-coordinate with our office as soon as possible. If you have any questions about our recommendations, please call (812)334-4261.

Sincerely yours,


Scott E. Pruitt,
Field Supervisor