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October 28, 2024
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LAW OFFICES OF
LOUIS E. GITOMER, LLC

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MELANIE B. YASBIN
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600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410)296-2250
FAX (410) 332-0885

October 28, 2024

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

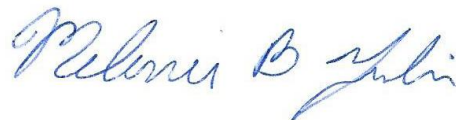
Re: **Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN**

Dear Ms. Brown:

Enclosed for electronic filing is a Verified Notice of Exemption for CSX Transportation, Inc. (“CSXT”) to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The filing fee of \$5,200 has been paid via pay.gov.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

FILED
October 28, 2024
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
October 28, 2024
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 818X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN MARION COUNTY, IN

VERIFIED NOTICE OF EXEMPTION

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: October 28, 2024

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 818X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN MARION COUNTY, IN

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is December 17, 2024.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

- (1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgraillaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Codes 46221 and 46251.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT believes that the property proposed for abandonment may be suitable for other purposes but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

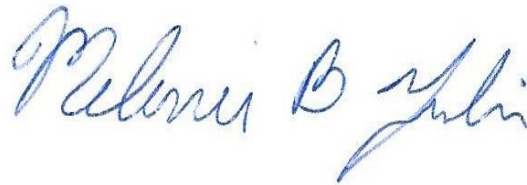
4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. See Exhibit D.

7. Historic Report. See Exhibit D.

Respectfully submitted,



Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: October 28, 2024

EXHIBIT A-VERIFICATION AND CERTIFICATION

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA)
) ss.
COUNTY OF DUVAL)

I, Elizabeth Peterson, state that I am Senior Financial Analyst for CSX Transportation, Inc. (“CSXT”); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that no local freight traffic has moved over CSXT’s approximately 51.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track in Marion County, IN for two years prior to the date hereof and that any overhead traffic can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

Elizabeth Peterson 10/24/2024

EXHIBIT B-MAP

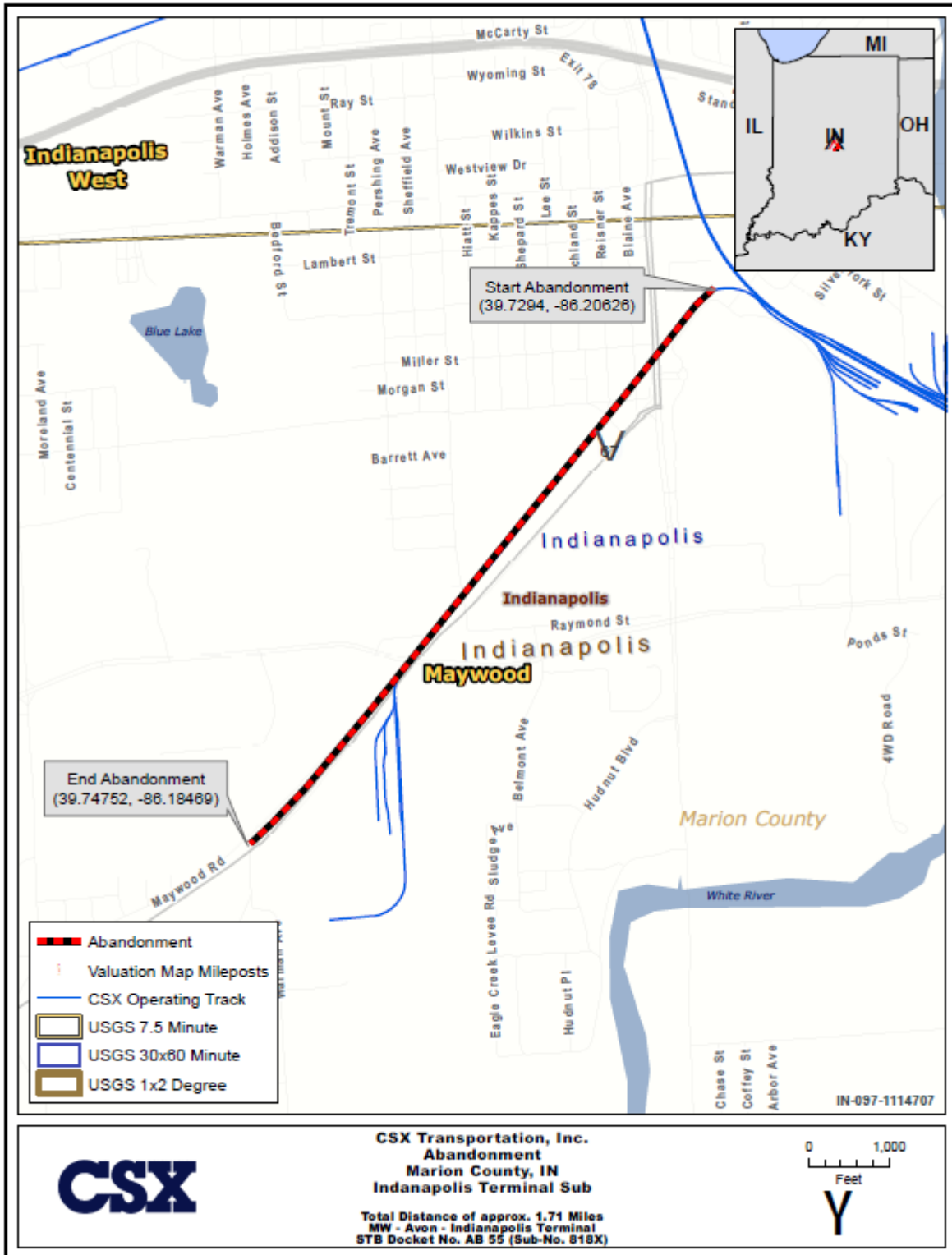


EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 818X) was mailed via first class mail on October 18, 2024, to the following parties:

State Public Service Commission

Indiana Utility Regulatory Commission
PNC Center
101 W. Washington Street, Suite 1500E
Indianapolis, IN 46204

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
ATTN: Transportation Engineering Agency (SDTE-SA)
1 Soldier Way Scott AFB, IL 62225-5006

usarmy.scott.sddc.mbx.tea-rnd@mail.mil

National Park Service

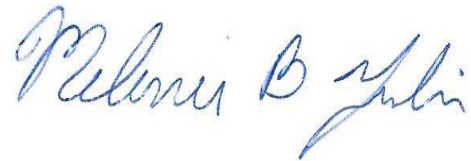
Mr. Bob Ratcliffe
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

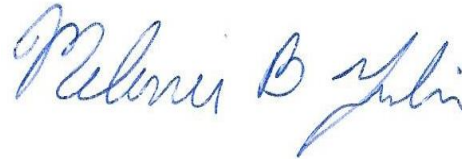
U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003

A handwritten signature in blue ink that reads "Melanie B. Yasbin". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail on the 'n'.

Melanie B. Yasbin
October 28, 2024

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 818X) in the following form was advertised on October 25, 2024, in the Indianapolis Business Journal a newspaper of general circulation in Marion County, IN, as required by 49 C.F.R. § 1105.7(c) and .12.



Melanie B. Yasbin
October 28, 2024

Notice of Intent to Abandon

CSX Transportation, Inc. (“CSXT”) gives notice that on or about October 28, 2024, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN. The proceeding will be docketed as No. AB-55 (Sub-No. 818X).

The Board’s Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board’s Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423–0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant’s representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

**INDIANAPOLIS
BUSINESS JOURNAL**

PROOF OF PUBLICATION from:

1 OF 2
24-2942 CSX Transportation
\$192.50

IBJ CORP.
ONE MONUMENT CIRCLE | SUITE 300, INDIANAPOLIS, INDIANA 46204, (317) 634-6200

State of Indiana, Marion County ss:

Personally appeared before me, a Notary Public in and said County and State, Natalee Thompson, who being sworn upon her oath, says she is a Clerk for IBJ Corp., publishers of Indianapolis Business Journal, a weekly newspaper of general circulation, printed and published in the English language, in the City of Indianapolis, Indiana, in the County aforesaid, and that the notice, of which the attached is a true copy, was published on these dates:

10/25/24

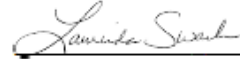


Natalee Thompson

SUBSCRIBED AND SWORN to me, before the 25th day of October 2024.

Laurinda Swank
Notary Public Commission #NP0696637
SEAL
Marion County, State of Indiana
My commission expires April 10, 2025

Notary Public



Laurinda Swank

**INDIANAPOLIS
BUSINESS JOURNAL**

PROOF OF PUBLICATION from:

2 OF 2
24-2942 CSX Transportation
\$192.50

IBJ CORP.
ONE MONUMENT CIRCLE | SUITE 300, INDIANAPOLIS, INDIANA 46204, (317) 634-6200

State of Indiana, Marion County ss:

Personally appeared before me, a Notary Public in and said County and State, Natalee Thompson, who being sworn upon her oath, says she is a Clerk for IBJ Corp., publishers of Indianapolis Business Journal, a weekly newspaper of general circulation, printed and published in the English language, in the City of Indianapolis, Indiana, in the County aforesaid, and that the notice, of which the attached is a true copy, was published on these dates:

10/25/24

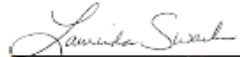


Natalee Thompson

SUBSCRIBED AND SWORN to me, before the 25th day of October 2024.

Laurinda Swank
Notary Public Commission #NP0696637
SEAL
Marion County, State of Indiana
My commission expires April 10, 2025

Notary Public



Laurinda Swank

**EXHIBIT D– COMBINED ENVIRONMENTAL AND HISTORIC
REPORT**

ENVIRONMENTAL REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 818X) was mailed via first class mail and electronic mail where available on October 8, 2024, to the following parties:

<p>Susannah Hinds State Conservationist United States Department of Agriculture Natural Resources Conservation Service 195 Meadows Dr., Ste 2 Danville, IN 46122-1413 Susannah.hinds@usda.gov</p>	<p>National Park Service Midwest Region 601 Riverfront Drive Omaha, NE MWR_RTCA@nps.gov</p>
<p>Environmental Protection Agency Region 5 77 West Jackson Blvd Chicago, IL 60604 r5hotline@epa.gov</p>	<p>U.S. Fish & Wildlife Services 620 South Walker Street Bloomington, IN 47403-2121 indianaFO@fws.gov</p>
<p>U.S. Army Corps of Engineers Louisville District 600 Dr. Martin Luther King Jr. Place Louisville, KY 40202 lrl@usace.army.mil</p>	<p>National Geodetic Survey RRAE@noaa.gov</p>

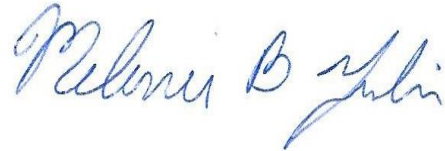
<p>Indiana Department of Environmental Management Indiana Government Center North 100 North Senate Ave Indianapolis, IN 46204-2251 info@idem.in.gov</p>	<p>City-County Council 200 E. Washington St. Suite T-441 Indianapolis, IN 46204 City-county.council@indy.gov</p>
<p>Department of Metropolitan Development 200 E. Washington Street 2042 Indianapolis, IN 46204 planneroncall@indy.gov</p>	<p>Thomas R. Rueschhoff, P.E. P.M.P. Senior Rail Project Manager Indiana Department of Transportation 100 North Senate Ave., Room N758-MM Indianapolis, IN. 46204 TRueschhoff@indot.in.gov</p>
<p>Indiana Department of Natural Resources Division of Fish & Wildlife Amanda Wuestefeld, Director 402 W. Washington St. Room W 273 Indianapolis, IN 46204 DFW@dnr.in.gov</p>	<p>Mayor Joe Hogestt 200 E. Washington St. Suite 2501 Indianapolis, IN 45204</p>
<p>Indiana Department of Natural Resources Division of Water 402 West Washington Room W264 Indianapolis, IN 46204 Water_inquiry@dnr.IN.gov</p>	

Melanie B. Yasbin
October 28, 2024

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 Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 818X) was submitted via electronic mail on October 8, 2024, to the following parties:

Ms. Beth McCord
Director, Division of Historic Preservation & Archology
402 West Washington Street
Indiana Government Center South
Room W256
Indiana, IN 46204



Melanie B. Yasbin
October 28, 2024

ED ENVIRONMENTAL AND HISTORIC REPORT (“CEHR”)
(49 C.F.R. 1105.7 and 1105.8)

Docket No. AB-55 (Sub-No. 818X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN MARION COUNTY, IN

Dated: October 28, 2024

ENVIRONMENTAL REPORT

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

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Abandonment of the Line will result in the removal of the remaining rail and crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Any trail related structures, such as bridges, trestles, culverts, and tunnels will not be salvaged.

The only alternative to a full abandonment would be for CSXT not to abandon the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

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

There is no passenger traffic on the Line to be diverted to other modes as a result of the proposed abandonment. There is no freight traffic on the Line to be diverted to motor carrier.

The proposed abandonment should have no adverse effects on regional or local highway systems and traffic patterns.

(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. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (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. § 10905 and explain why.

(i) CSXT considers the proposed abandonment of the Line to be consistent with existing land use plans. CSXT notified the Pikeville-Pike County-Elkhorn City Joint Planning Commission by letter dated June 18, 2024 (See Exhibit 2) requesting comments and included a copy of this preliminary CEHR. A copy of this Preliminary CEHR has also been mailed to the appropriate local and state agencies for their information and further comment. Received comments will be included in the final CEHR

(ii) CSXT does not believe that there is any prime agricultural land that will be affected.

CSXT notified the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (the agency succeeding to the responsibilities of the Soil Conservation Service) of the proposed abandonment by letter dated October 8, 2024 (See Exhibit 2) requesting comments and included a copy of the Preliminary CEHR. No comments have been received to date.

(iii) The proposed project is not located within the State of Indiana’s Coastal Zone Management Program; therefore, consistency with the States Coastal Zone Management Program is not required.

(iv) CSXT believes the Line would be suitable for interim trail use/rail banking.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency

and explain why. (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.

(i) The proposed abandonment will have no effect on the ability to transport energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will not change the use of railroad transportation over the line as CSX doesn't currently ship over the line.

(iv) The proposed abandonment will not cause the diversion of more than 1,000 rail carloads a year; or an average of 50 rail carloads per mile per year for any part of the line segments of rail traffic to motor carriage.

(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. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (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. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (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.

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(iii) The proposed abandonment will not affect the transportation of ozone depleting materials.

(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.

Not applicable.

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

(i) The proposed abandonment will have no detrimental effects on public health and safety. There are nine road crossings, eight public road crossings and one private road crossings on the Line. All crossings can be closed.

(ii) The proposed abandonment will not affect the transportation of hazardous materials.

(iii) CSXT is not aware of any known hazardous waste sites or sites where there have been known hazardous materials spills on the Line.

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

(i) CSXT does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. CSXT has notified the U.S. Fish and Wildlife Service (“USF&W”) of the proposed abandonment by letter dated October 8, 2024 (See Exhibit 2) requesting assistance in determining whether the proposed abandonment will adversely affect endangered or threatened species or areas designated as a critical habitat and included a copy of the Preliminary CEHR.

Through use of the USF&W website <https://ecos.fws.gov/ipac/> a letter listing threatened, and endangered species was generated on October 1, 2024, finding the Indiana Bat, Tricolored Bat, Whooping Crane and Monarch Butterfly may be in the area but that there are no critical habitats within the project area under USF&W’s jurisdiction. The letter also states that it is likely that there are Bald Eagles present in the project area. (See Exhibit 2). Additionally, US&W provided a probability of presence summary for the following birds of conservation concern throughout their range in the continental United States: Black-billed Cuckoo, Boblink, Cerulean Warbler, Chimney Swift, Eastern Whip-poor-will, Grasshopper Sparrow, Kentucky Warbler, Lesser Yellowlegs, Pectoral Sandpiper, Prothonotary Warbler, Red-headed Woodpecker, Rusty Blackbird, Short-billed Dowitcher, Upland Sandpiper, and Wood Thrush. CSXT has contacted the local USF&W field office to evaluate the effects on migratory birds. (See Exhibit 2). USF&W send a letter dated October 10, 2024, stating that “the Service concurs the project is not likely to adversely affect any federally listed species.” (See Exhibit 2).

(ii) CSXT does not believe any wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed abandonment.

CSXT has notified the National Parks Service of the proposed abandonment by letter dated October 8, 2024 (See Exhibit 2) requesting assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests and included a copy of the Preliminary CEHR. No comments have been received to date.

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

(i) CSXT is confident that the proposed abandonment will be consistent with applicable water quality standards. CSXT notified the State Environmental Protection Agency (“SEPA”), and the United States Environmental Protection Agency (“USEPA”) by letters dated October 8, 2024 (See Exhibit 2) requesting assistance in identifying any potential effects on water quality standards and included a copy of the Preliminary CEHR. No comments have been received to date.

(ii) CSXT believes that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment. Upon receiving abandonment authority, removal of material will be accomplished by use of the right-of-way for access. No new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil and does not anticipate any dredging or use of fill in the removal of the track material. CSXT will transport crossties and/or other debris away from the Line and will not discard them along the right-of-way or place or leave them 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. Based upon this course of action, CSXT does not believe a permit under Section 404 of the Clean Water Act will be required.

CSXT notified the U.S. Army Corps of Engineers by letter dated October 8, 2024 (See Exhibit 2) requesting assistance in identifying whether permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment and included a copy of the Preliminary CEHR. No comments have been received to date.

(iii) CSXT believes that no permit under section 402 of the Clean Water Act would be required for the abandonment. CSXT notified the SEPA and the USEPA by letter dated October 8, 2024 (*See* Exhibit 2) requesting assistance in identifying whether permit under section 402 of the Clean Water Act would be required for the abandonment and included a copy of the Preliminary CEHR. No comments have been received to date.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

CSXT does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. CSXT will, of course, adhere to any remedial actions required by the Board.

HISTORIC REPORT

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

U.S. Geological Survey Maps have been supplied to the State Department of Archeology and Historic Preservation (*See* Exhibit 3) along with this preliminary CEHR.

2. A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The Line begins at Lat/Long (39.74752, -86.18469), and runs parallel to Kentucky Avenue, Raymond Street, Old Raymond Street, Big Eagle Creek, S. Belmont Ave, Minnesota Street, Old Minnesota Street, Blaine Ave, Harding Street, and a pedestrian pathway before connecting to the Indianapolis Belt Railroad near Eli Lilly Headquarters.

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

There is one CSXT owned bridge that is 50 years old or older, which may be eligible for listing in the National Register, which is part of the proposed action. See Exhibit 4.

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

There Big Eagle Creek Bridge was built 1889 and is a pony and through truss.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The Caven Industrial Track is part of the old Indianapolis and Vincennes Railroad Line that was proposed in 1865 with funding from the State of Indiana, as well as the IC&L

(Indianapolis, Cincinnati and Lafayette) and Pennsylvania Railroads. The Indianapolis & Vincennes (I&V) Railroad started construction in 1867 but immediately ran into financial trouble until they started shipping coal from Bushrod, IN. In January 1905, the Pennsylvania Company, a holding company that maintained the properties of the Pennsylvania Lines West of Pittsburgh and Erie (PL), consolidated the I&V, the Terre Haute & Indianapolis, the St. Louis, Vandalia & Terre Haute, the Terre Haute & Logansport, and the Logansport & Toledo into one overarching company: the Vandalia Railroad Company. On February 1, 1968, another major change occurred with the merger of two major rival railroads: the Pennsylvania and the New York Central. On April 1, 1976, the I&V Railroad became part of Conrail system but was determined to be redundant and therefore most of the line was abandoned. The Indiana Southern Railroad took over much of the line from S. Holt Road in Indianapolis to Sandborn, IN. Conrail still held the remaining section of railroad that became known as the Caven Industrial Track (“CIT”). The CIT ran parallel to Kentucky Avenue Road, over 9 road crossings, operated over the Big Eagle Creek and connected to the Indianapolis Belt Railroad near Eli Lilly Headquarters. On June 1, 1999, CSX took over the CIT and continued to support many industries in the Indianapolis area until the last customer (CHS Industries) moved off the line.

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

It is CSXT’s opinion that there are no archeological resources or other railroad related historic properties in the project area.

8. A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic waste), and the surrounding terrain.

Based on a review of its records, CSXT believes that there are no known subsurface

ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources. The Line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

CSXT does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. But, if any additional information is requested, CSXT will promptly supply the necessary information.

CSXT notified the Indiana Department of Natural Resources, Division of Historic Preservation & Archology on October 8, 2024 (*See Exhibit 2*) requesting assistance to determine whether there are any archeological resources or any other previously unknown historic properties and included a copy of the Preliminary CEHR. No comments have been received to date.

EXHIBIT 1 – MAP

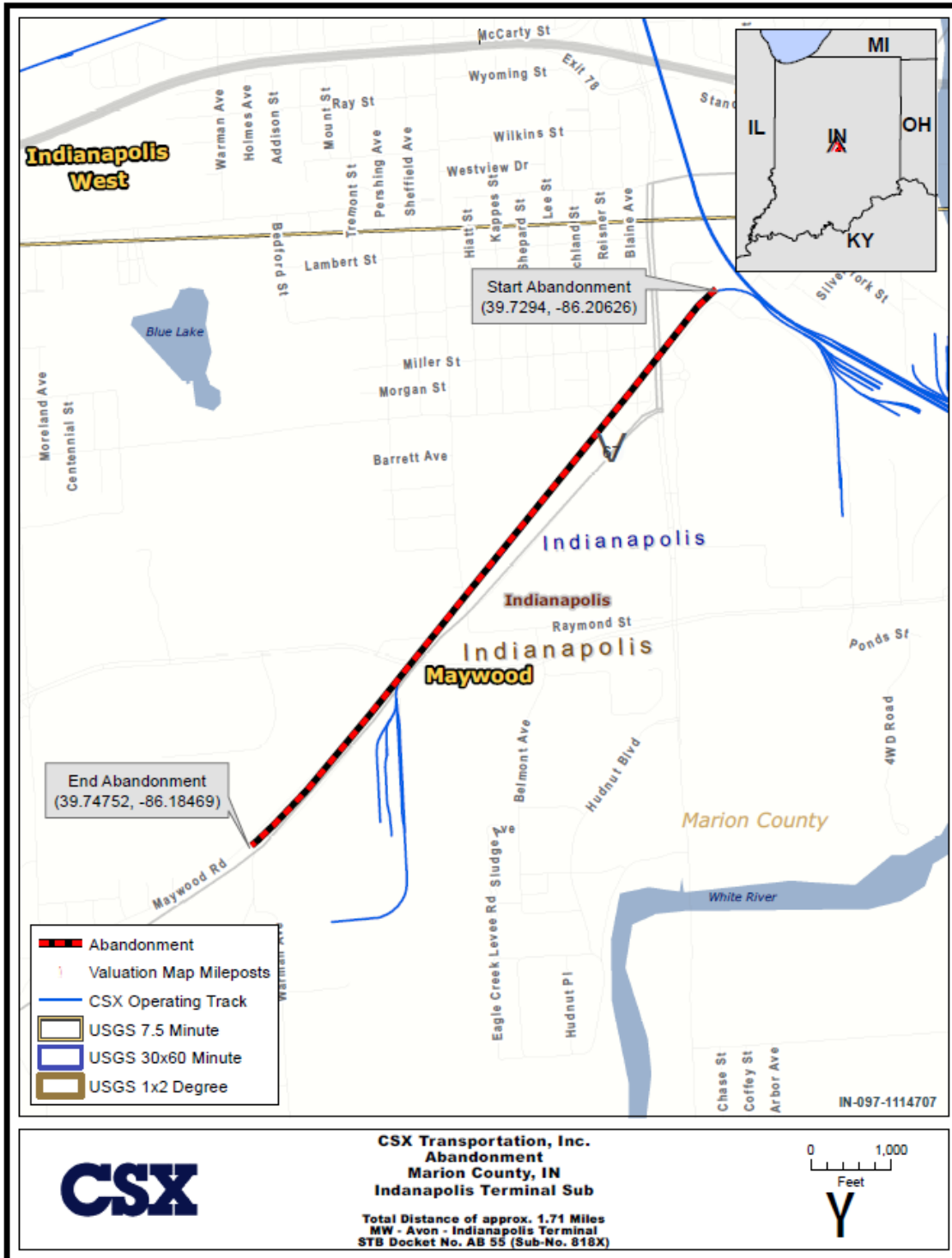


EXHIBIT 2 – LETTERS (WITHOUT MAPS)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Mayor Joe Hogestt
200 E. Washington St.
Suite 2501
Indianapolis, IN 45204

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Mayor Hogestt:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT’s Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT's Preliminary CEHR with CSXT's analysis of current and future land use. Please respond by email to Kevin_Hardee@csx.com or by mail to the above address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

City-County Council
200 E. Washington St.
Suite T-441
Indianapolis, IN 46204
City-county.council@indy.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom It May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

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Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Department of Metropolitan Development
200 E. Washington Street
2042
Indianapolis, IN 46204
planneroncall@indy.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom it May Concern:

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Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Indiana Department of Natural Resources
Division of Water
402 West Washington
Room W264
Indianapolis, IN 46204
Water_inquiry@dnr.IN.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom it May Concern:

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Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

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

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

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

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time. As further information, CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Environmental Protection Agency
Region 5
77 West Jackson Blvd
Chicago, IL 60604
r5hotline@epa.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom it May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

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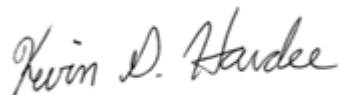
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Sincerely,



Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Indiana Department of Environmental Management
Indiana Government Center North
100 North Senate Ave
Indianapolis, IN 46204-2251
info@idem.in.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom It May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

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Sincerely,

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Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Indiana Department of Natural Resources
Division of Fish & Wildlife
Amanda Wuestefeld, Director
402 W. Washington St. Room W 273
Indianapolis, IN 46204
DFW@dnr.in.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Ms. Wuestefeld:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

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

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

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

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Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

U.S. Fish & Wildlife Services
620 South Walker Street
Bloomington, IN 47403-2121
indianaFO@fws.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom It May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

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- (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.*
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A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273



In Reply Refer To:
Project Code: 2025-0000329
Project Name: CSXT Abandonment Exemption in Marion County, IN

10/01/2024 17:25:27 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all **wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of

Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403-2121
(812) 334-4261

PROJECT SUMMARY

Project Code: 2025-0000329
Project Name: CSXT Abandonment Exemption in Marion County, IN
Project Type: Abandonment of Rail Line
Project Description: CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.738488399999994,-86.19523511539595,14z>



Counties: Marion County, Indiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

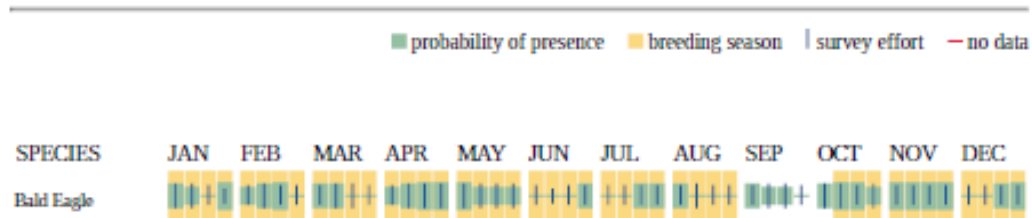
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



Non-BCC
Vulnerable

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 21 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10678	Breeds May 1 to Aug 20
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329	Breeds Jun 1 to Aug 20
Kentucky Warbler <i>Geothlypis formosa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31

NAME	BREEDING SEASON
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Upland Sandpiper <i>Bartramia longicauda</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9294	Breeds May 1 to Aug 31
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

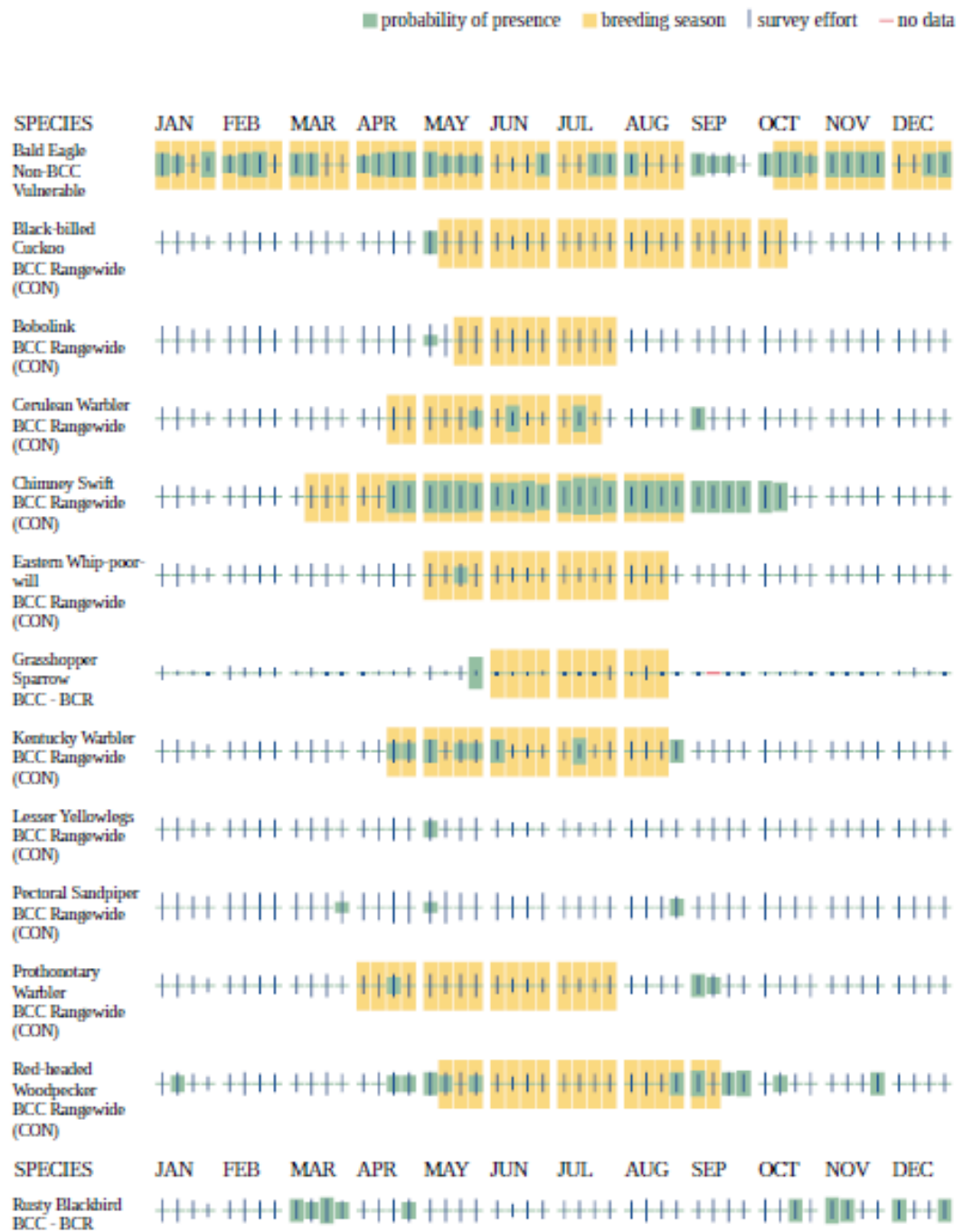
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

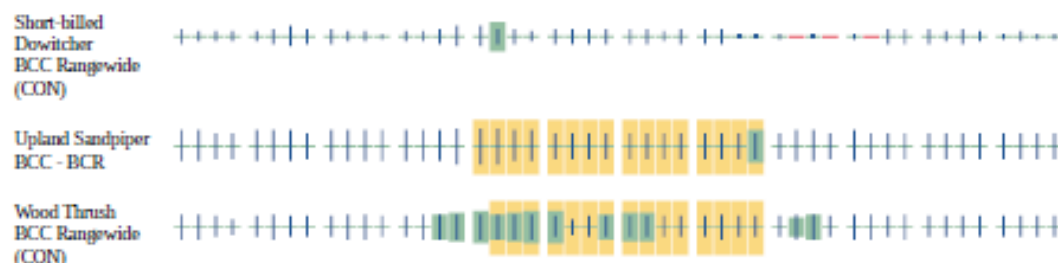
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R2UBHx

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Melanie Yasbin
Address: 600 Baltimore Ave, Suite 301
City: Towson
State: MD
Zip: 21204
Email: melanie@lgraillaw.com
Phone: 4102962205

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Surface Transportation Board

From: [McWilliams, Robin](#)
To: [Melanie Yasbin](#)
Subject: Re: [EXTERNAL] STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.--Abandonment Exemption--in Marion County, IN
Date: Thursday, October 10, 2024 2:48:34 PM

Dear Melanie,

This responds to your recent letter 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.

The project is within the range of the federally endangered Indiana bat (*Myotis sodalis*); however, there are no records of the species within the vicinity of the rail line, nor does there appear to be much forested habitat. The other species on your list are proposed for federal listing and do not require section 7 consultation. With that said, we do not anticipate any impacts to those species if they become listed in the future.

There are two bald eagle nests near the area of the proposed abandoned rail line although the records are over two thousand feet or more away and we would not expect impacts to the birds due to rail line abandonment. For additional information on bald eagles, visit the Service's website: [Do I need an eagle take permit? | U.S. Fish & Wildlife Service \(fws.gov\)](#). In general, activities greater than 660 feet from an eagle nest do not need take permits.

There is no critical habitat near Indianapolis, no federal properties, and the Service does not provide any type of concurrence with respect to State land or species.

Based on a review of the information you provided, the Service concurs the project is not likely to adversely affect any federally listed species and we have no other comments on the rail abandonment as currently proposed. 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 you have any questions about our recommendations, please contact me at robin_mcwilliams@fws.gov or you may call 812-334-4261 x. 207.

Sincerely,
Robin McWilliams Munson

Robin McWilliams Munson

Fish and Wildlife Biologist/Transportation Liaison
U.S. Fish and Wildlife Service
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403
Robin_McWilliams@fws.gov
***NEW* 812-902-1752**

Mon-Tues 8:30-4:30p
Wed-Thurs 8:30-4:30p Telework



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Thomas R. Rueschhoff, P.E. P.M.P.
Senior Rail Project Manager
Indiana Department of Transportation
100 North Senate Ave., Room N758-MM
Indianapolis, IN. 46204
TRueschhoff@indot.in.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Mr. Rueschhoff:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

National Geodetic Survey
RRAE@noaa.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom It May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

Please advise if there are any geodetic markers which could be affected by the proposed transaction. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

Kevin Hardee

Enclosures (3)

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1 National Geodetic Survey, Retrieval Date = OCTOBER 17, 2024 11:34:00 EDT
KA0130 *****
KA0130 DESIGNATION - R 64
KA0130 PID - KA0130
KA0130 STATE/COUNTY- IN/MARION
KA0130 COUNTRY - US
KA0130 USGS QUAD - MAYWOOD (2019)
KA0130
KA0130 *CURRENT SURVEY CONTROL
KA0130
KA0130* NAD 83(1986) POSITION- 39 44 34. (N) 086 11 19. (W) SCALED
KA0130* NAVD 88 ORTHO HEIGHT - 212.934 (meters) 698.60 (feet) ADJUSTED
KA0130
KA0130 GEOID HEIGHT - -33.408 (meters) GEOID18
KA0130 DYNAMIC HEIGHT - 212.817 (meters) 698.22 (feet) COMP
KA0130 MODELED GRAVITY - 980,074.0 (mgal) NAVD 88
KA0130
KA0130 VERT ORDER - SECOND CLASS 0
KA0130
KA0130.The horizontal coordinates were scaled from a map and have
KA0130.an estimated accuracy of +/- 6 seconds.
KA0130
KA0130.The orthometric height was determined by differential leveling and
KA0130.adjusted by the NATIONAL GEODETIC SURVEY
KA0130.in June 1991.
KA0130
KA0130.Significant digits in the geoid height do not necessarily reflect accuracy.
KA0130.GEOID18 height accuracy estimate available here.
KA0130
KA0130.Click photographs - Photos may exist for this station.
KA0130
KA0130.The dynamic height is computed by dividing the NAVD 88
KA0130.geopotential number by the normal gravity value computed on the
KA0130.Geodetic Reference System of 1980 (GRS 80) ellipsoid at 45
KA0130.degrees latitude (g = 980.6199 gals.).
KA0130
KA0130.The modeled gravity was interpolated from observed gravity values.
KA0130
KA0130; North East Units Estimated Accuracy
KA0130;SPC IN E - 499,090. 55,260. MT (+/- 180 meters Scaled)

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KA0130
 KA0130_U.S. NATIONAL GRID SPATIAL ADDRESS: 16SEJ695995(NAD 83)
 KA0130
 KA0130 SUPERSEDED SURVEY CONTROL
 KA0130
 KA0130 NGVD 29 (??/??/92) 213.072 (m) 699.05 (f) ADJ UNCH 2 0
 KA0130
 KA0130.Superseded values are not recommended for survey control.
 KA0130
 KA0130.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.
 KA0130.See file dsdata.pdf to determine how the superseded data were derived.
 KA0130
 KA0130_MARKER: DB = BENCH MARK DISK
 KA0130_SETTING: 7 = SET IN TOP OF CONCRETE MONUMENT
 KA0130_STAMPING: R 64 1946
 KA0130_MARK LOGO: CGS
 KA0130_STABILITY: C = MAY HOLD, BUT OF TYPE COMMONLY SUBJECT TO
 KA0130+STABILITY: SURFACE MOTION
 KA0130

KA0130	HISTORY	- Date	Condition	Report By
KA0130	HISTORY	- 1946	MONUMENTED	CGS
KA0130	HISTORY	- 1950	GOOD	CGS
KA0130	HISTORY	- 1976	MARK NOT FOUND	LOCSUR

 KA0130
 KA0130 STATION DESCRIPTION
 KA0130
 KA0130'DESCRIBED BY COAST AND GEODETIC SURVEY 1946
 KA0130'AT INDIANAPOLIS.
 KA0130'AT INDIANAPOLIS, ALONG KENTUCKY AVENUE AND STATE HIGHWAY 67, AT
 KA0130'THE INTERSECTION WITH SOUTH REISNER STREET, 38 FEET NORTHWEST OF
 KA0130'THE CENTER LINE OF KENTUCKY AVENUE, 30 FEET WEST OF THE CENTER LINE
 KA0130'OF SOUTH REISNER STREET, 13 FEET NORTHWEST OF A POWER LINE POLE, 11
 KA0130'FEET NORTHEAST OF THE NORTHEAST RAIL OF A RAILROAD SIDING, 1.5
 KA0130'FEET SOUTH OF A WHITE WOODEN WITNESS POST AND ABOUT LEVEL WITH THE
 KA0130'STREET. A STANDARD DISK, STAMPED R 64 1946 AND SET IN THE TOP
 KA0130'OF A CONCRETE POST PROJECTING 5 INCHES ABOVE GROUND.
 KA0130

KA0130 STATION RECOVERY (1950)
 KA0130
 KA0130'RECOVERY NOTE BY COAST AND GEODETIC SURVEY 1950
 KA0130'RECOVERED IN GOOD CONDITION.
 KA0130
 KA0130 STATION RECOVERY (1976)
 KA0130
 KA0130'RECOVERY NOTE BY LOCAL SURVEYOR (INDIVIDUAL OR FIRM) 1976
 KA0130'MARK NOT FOUND.

1 National Geodetic Survey, Retrieval Date = OCTOBER 17, 2024 11:35:13 EDT
 KA0131 *****
 KA0131 DESIGNATION - Q 64
 KA0131 PID - KA0131
 KA0131 STATE/COUNTY- IN/MARION
 KA0131 COUNTRY - US
 KA0131 USGS QUAD - MAYWOOD (2019)
 KA0131
 KA0131 *CURRENT SURVEY CONTROL
 KA0131
 KA0131* NAD 83(1986) POSITION- 39 44 11. (N) 086 11 48. (W) SCALED
 KA0131* NAVD 88 ORTHO HEIGHT - 211.527 (meters) 693.98 (feet) ADJUSTED
 KA0131
 KA0131 GEOID HEIGHT - -33.381 (meters) GEOID18
 KA0131 DYNAMIC HEIGHT - 211.411 (meters) 693.60 (feet) COMP
 KA0131 MODELED GRAVITY - 980,075.3 (mgal) NAVD 88
 KA0131
 KA0131 VERT ORDER - SECOND CLASS 0
 KA0131
 KA0131.The horizontal coordinates were scaled from a map and have
 KA0131.an estimated accuracy of +/- 6 seconds.
 KA0131
 KA0131.The orthometric height was determined by differential leveling and
 KA0131.adjusted by the NATIONAL GEODETIC SURVEY
 KA0131.in June 1991.
 KA0131
 KA0131.Significant digits in the geoid height do not necessarily reflect accuracy.
 KA0131.GEOID18 height accuracy estimate available here.
 KA0131
 KA0131.Click photographs - Photos may exist for this station.
 KA0131

KA0131 STATION DESCRIPTION
KA0131
KA0131'DESCRIBED BY COAST AND GEODETIC SURVEY 1946
KA0131'AT INDIANAPOLIS.
KA0131'AT INDIANAPOLIS, ALONG KENTUCKY AVENUE AND STATE HIGHWAY 67, AT
KA0131'THE SOUTHWEST EDGE OF TOWN AND THE CITY LIMITS, SET IN THE TOP
KA0131'OF THE NORTHEAST END OF THE SOUTHEAST CONCRETE RAILING OF A
KA0131'CONCRETE ARCH BRIDGE OVER EAGLE CREEK, AT THE JUNCTION WITH
KA0131'BELMONT AVENUE, ABOUT 4 FEET HIGHER THAN THE BRIDGE FLOOR. A
KA0131'STANDARD DISK, STAMPED Q 64 1946.
KA0131
KA0131 STATION RECOVERY (1976)
KA0131
KA0131'RECOVERY NOTE BY LOCAL SURVEYOR (INDIVIDUAL OR FIRM) 1976
KA0131'RECOVERED IN GOOD CONDITION.
KA0131
KA0131 STATION RECOVERY (2001)
KA0131
KA0131'RECOVERY NOTE BY JOHN CHANCE LAND SURVEYS INC 2001 (CLG)
KA0131'RECOVERED IN GOOD CONDITION.



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

U.S. Army Corps of Engineers
Louisville District
600 Dr. Martin Luther King Jr. Place
Louisville, KY 40202
lrl@usace.army.mil

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

To Whom It May Concern:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(e)(9) (ii) require that CSXT develop responses to the following statement:

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

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Ms. Beth McCord
Director, Division of Historic Preservation & Archology
402 West Washington Street
Indiana Government Center South
Room W256
Indiana, IN 46204
DHPAReview@dnr.IN.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Ms. McCord:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

In connection with rail line that is the subject of an application for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a preliminary Combined Environmental and Historic Report (“CEHR”) covering the above-proposed abandonment.

We would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed is a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the CEHR for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)

APPLICANT (if different than Federal Agency) If available, please attach copy of authorization letter from federal agency.

Applicant: CSX Transportation, Inc

Name of Contact: Kevin Hardee

Address (number and street): 500 Water Street, J801

City: Jacksonville State: FL ZIP: 32202

Telephone number: 9043664457 E-mail address: Kevin_Hardee@csx.com

ADDITIONAL CONTACT (IF APPLICABLE)

Name of Contact: Melanie Yasbin

Organization/Agency: The Law Offices of Louis E. Gitomer, LLC

Address (number and street): 600 Baltimore Ave, Suite 301

City: Towson State: MD ZIP: 21204

Telephone number: 410 2962205 E-mail address: melanie@lgrailaw.com

Project Description – This should include a detailed scope of work, including any actions to be taken in relation to the project, such as all aspects of new construction, replacement/repair, demolition, ground disturbance, and all ancillary work (temporary roads, etc.), as applicable. Attach report or additional pages if necessary. If a detailed scope of work is not available yet, please explain and include all preliminary information.

CSX Transportation, Inc., ("CSXT") proposes to abandon the approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the "Line"). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Abandonment of the Line will result in the removal of the remaining rail and crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Any trail related structures, such as bridges, trestles, culverts, and tunnels will not be salvaged.

Ground Disturbing Activity – This should include a detailed description of all horizontal and vertical ground disturbance in relation to the project as well as any known previous and current land use, condition, and disturbances. Attach report or additional pages if necessary. Indicate if the project does not include any ground disturbing activities. Please note that agricultural tilling generally does not have a serious enough impact on archaeological sites to constitute a disturbance of the ground for this purpose.

Based on a review of its records, CSXT believes that there are no known subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources. The Line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal.

FINDINGS – Please note that a finding should only be submitted when the agency/delegatee believes it is appropriate or one has been requested by our office. Only those who represent the Federal Agency or an official delegatee of the federal agency are authorized to make findings of effect for an undertaking.

- No Historic Properties Affected** – (i.e., none are present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
- No Adverse Effect** – The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
- Adverse Effect** – The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach necessary documentation, as described at 36 CFR 800.11, with a proposed plan to resolve adverse effect(s).

Please explain the basis for your determination.

Authorized Signature: _____ Date (month, day, year): _____
Type or print name: _____
Organization/Agency: _____

Please note that incomplete submissions may result in delays. To ensure an expeditious review, please be sure that the following has been provided:

- Completed Review Request Submittal Form
- Letter of authorization from Federal agency/agencies *(if applicable)*
- Consulting Parties – List of all consulting parties that have been invited to participate and copies of any responses received. Typical consulting parties would include the county historian, local historical society, the appropriate regional office of Indiana Landmarks, other local, state or national preservation organizations, tribes, local government and the general public.
- Map of project location with project area(s) and Area of Potential Effects (APE) clearly marked, streets labeled and a north arrow, aerial maps are preferable and areas of previous ground disturbance within the project area should be shown. Please indicate if any of the project area is located on state or federal property.
- Clear, current color photographs of project area and APE, including any buildings or structures fifty (50) years or older within the APE. (No more than two (2) photographs per page, for large project areas/APEs photographs can be provided digitally on a CD but must be clearly labeled.)
- Architectural/Engineering Drawings *(if applicable)* – Must be labeled with north arrow, clearly indicate proposed changes to existing buildings and locations of any ground disturbance on site plans. When possible include both existing and proposed drawings. Hard copies should be provided at no smaller than 11" x 17" and font must be legible; if the drawings are large scale reduced to 11" x 17", please also provide a CD with a PDF copy of the drawings.
- Identification of any known historic resources – All projects should consult the SHAARD database (access available on the DHPA home page) to locate known historic resources in the project area and APE. For any identified resources, the submission should include (in summary form) a list of the properties identified, including address, the site/reference number from SHAARD, the rating (IHSSI, Bridge Inventory) or status (National Register) of each property, and a current photograph. Please do not submit print outs of the individual SHAARD records.

Please note that at this time we are unable to accept electronic submissions. The thirty (30) day review period, as specified in 36 CFR part 800.3(c)(4), begins from the date that we receive the hard copy of the submission.

Return this Form and Attachments to:

**Indiana Department of Natural Resources
Division of Historic Preservation and Archaeology
402 W. Washington Street, Room W274
Indianapolis, Indiana 46204**

<http://www.in.gov/dnr/historic>



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE
MWR_RTCA@nps.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Ms. Hinds:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin_Hardee@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 366-4457
Email: Kevin_Hardee@csx.com

Kevin Hardee
Joint Facilities

October 8, 2024

Susannah Hinds
State Conservationist
United States Department of Agriculture
Natural Resources Conservation Service
195 Meadows Dr., Ste 2
Danville, IN 46122-1413
Susannah.hinds@usda.gov

Re: STB Docket No. AB-55 (Sub-No. 818X), CSX Transportation, Inc.—Abandonment
Exemption—in Marion County, IN

Dear Ms. Hinds:

CSX Transportation, Inc., (“CSXT”) proposes to abandon an approximately 1.8-mile rail line that runs between Lat/Long (39.74752, -86.18469) – Lat/Long (39.7294, -86.20626), on its Northeast Great Lakes Division, Indianapolis Terminal Subdivision, Craven Industrial track, in Marion County, IN (the “Line”). The Line runs through the U.S. Postal Zip Codes 46221 and 46251.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

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

Please advise if any of the land contiguous to CSXT’s line in the project area is classified as prime agriculture land.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Kevin.Hardee@CSX.com by email or through the United States Postal Service (USPS).

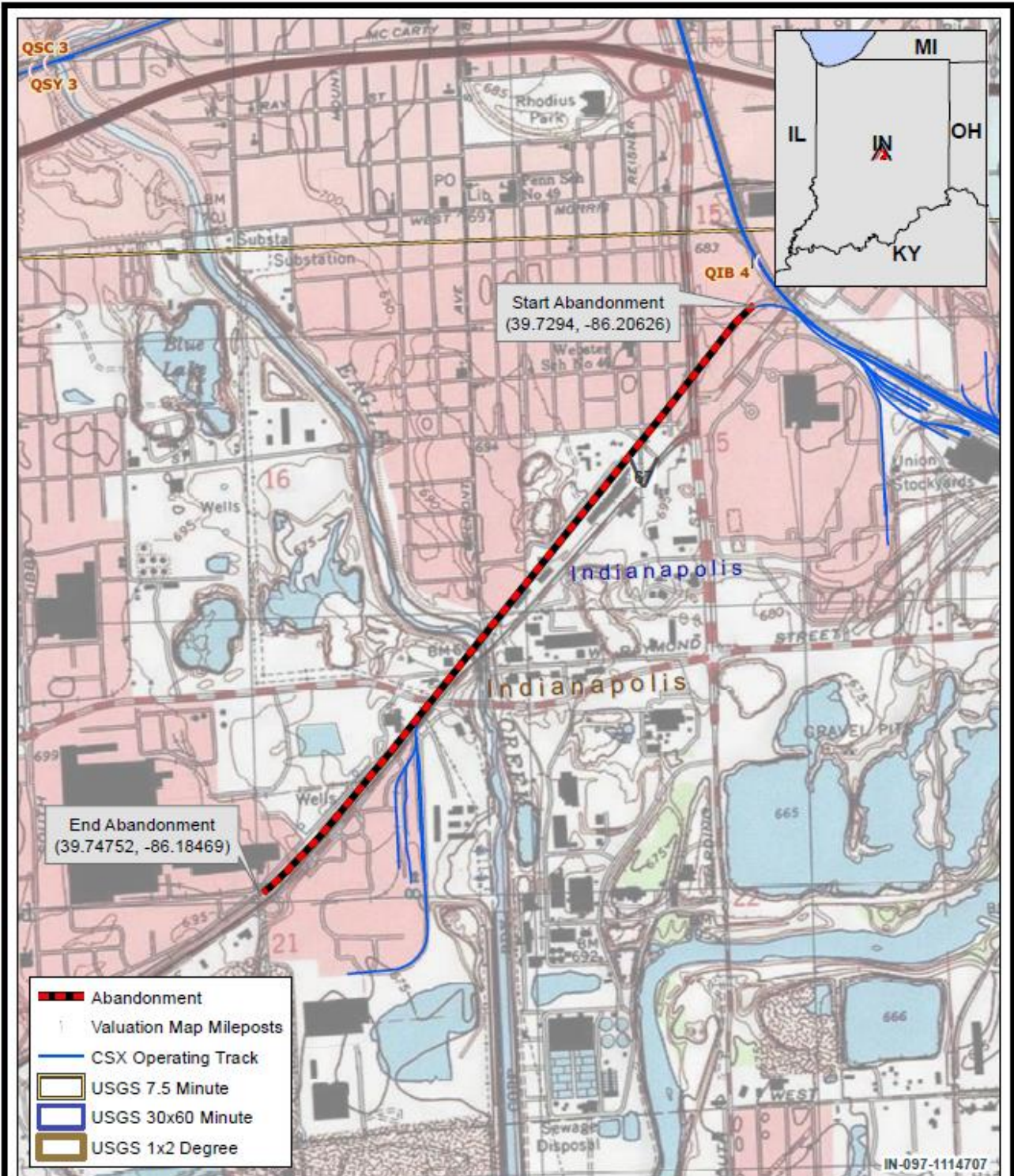
Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin D. Hardee".

Kevin Hardee
Enclosures (3)

EXHIBIT 3 – USGS MAPS



**CSX Transportation, Inc.
Abandonment
Marion County, IN
Indianapolis Terminal Sub**

Total Distance of approx. 1.71 Miles
MW - Avon - Indianapolis Terminal
STB Docket No. AB 55 (Sub-No. 818X)



EXHIBIT 4- PHOTOGRAPHS OF BIG EAGLE CREEK BRIDGE

