



Preserving America's Heritage

August 25, 2009

Timothy M. Hill
Administrator
Office of Environmental Services
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

Ref: *Proposed CSX – National Gateway Corridor Improvements Project (PID: 85697)
Between Greenwich, Ohio; Chambersburg, Pennsylvania; and Weldon, North Carolina*

Dear Mr. Hill:

On August 10, 2009, the Advisory Council on Historic Preservation (ACHP) received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Ohio State Historic Preservation Office (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Najah Duvall-Gabriel at 202 606-8585 or ngabriel@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

August 6, 2009

Ms. Carol Legard
FHWA Liaison
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 809
Washington, DC 20004

Subject: CSX-National Gateway Corridor Improvements PID: 85697
Notification of Adverse Effect

Dear Ms. Legard:

The subject undertaking, funded in part by the American Reinvestment and Recovery Act (ARRA), is to improve the existing CSX Transportation corridor. The goal of this inter-state project is to achieve clearance along CSX's rail corridor to ensure passage of double-stack intermodal railcars. Improvements to 18 locations within the State of Ohio have been identified. Seven of the bridges identified within the Area of Potential Effects (APE) are eligible for inclusion on the National Register of Historic Places (NRHP) under Criterion C. On August 6, 2009, the OSHPO concurred in accordance with 36 CFR § 800.5(a), a finding of "adverse effect" is applicable to the following actions in regard to one or more of the seven Warren pony truss bridges, eligible for inclusion on the NRHP: demolition; rehabilitation that alters the historic integrity; or the abandonment without the commitment of a responsible party for future maintenance.

ODOT, on behalf of FHWA, has drafted the enclosed Memorandum of Agreement and supporting documentation to facilitate the Section 106 consultation process. A public meeting is scheduled for August 19, 2009 that will include efforts to identify Section 106 Consulting Parties. CSX and their consultant are collaborating with FHWA and ODOT to ensure appropriate efforts are made to identify Section 106 Consulting Parties. A Section 106 Consulting Party meeting will be held in September 2009 with the identified Section 106 Consulting Parties and the agency officials to consult on measures to mitigate the adverse effects of the undertaking.

In accordance with 36 CFR Part 800.6, ODOT, on behalf of FHWA, is notifying the Council of the "adverse effect" finding by providing the enclosed documentation to determine participation in resolving the adverse effects. We request your comments on the enclosed by 15 days after your receipt of this letter. If no objection is received within 15 days, in accordance with the Advisory Council on Historic Preservation's current regulations under 36 CFR 800.6, FHWA, with ODOT as their agent, will proceed to the next step in the Section 106 process.

Respectfully,


Timothy M. Hilk
Administrator
Office of Environmental Services

Ms. Legard
CSX - National Gateway Corridor Improvements
PID: 85697

TMH:sg
Enclosure

c: D. Snyder, FHWA, w/att.
M. Epstein, OSHPO, w/att
Project File, w/att.
Reading File



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

August 3, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Attn: Nancy Campbell, ODOT Review Manager, History/Architecture
Thomas Grooms, ODOT Review Manager, Archaeology

Subject: Cultural Resources Scoping Guidance

Project: CSX-National Gateway Corridor Improvements – Between Greenwich, Ohio; Chambersburg, Pennsylvania; and Weldon, North Carolina

PID: 85697

Dear Mr. Epstein:

Project Description

The subject undertaking is to improve the existing CSX Transportation rail corridor. The goal of the interstate project is to achieve 21 feet of clearance along CSX's rail corridor to ensure passage of double-stack intermodal railcars. The subject undertaking is part of a larger system of existing CSX Transportation corridor extending from the eastern United States ports to the Midwest. Improvements to 18 locations within the State of Ohio have been identified. The proposed improvements consist of nine bridge replacements, construction of crossovers at two interlocking sites, five track lowerings, two bridge raisings, and three bridge demolitions. In addition, new alignments are proposed at several locations. The majority of the proposed work will be within existing transportation right-of-way, however, there are locations where additional right-of-way will be required.

The attached tables illustrate the results of the ODOT Office of Environmental Services' (OES) preliminary literature review and cultural resource scoping guidance. Please note that the recommendations here are based on the preliminary work limit information and project descriptions.

Area of Potential Effect (APE)

The Area of Potential Effects (APE) for each location can be seen in the attached information packet. Over all 18 locations the project will affect a total length of over 21000 ft of CSX railroad track, 2075 ft of temporary ABCR track, 250 ft of abandoned track, 270 ft of hike & bike trail, and approximately 10000 ft of roadway. Work at most locations is limited to existing roadway or railroad right-of-way. Minor new right-of-way will be required at five locations: ASD-TR391-175.70, MED-River Corners Road-169.70, POR-Knapp Road-107.10, POR-Rock Springs Road-105.40, and TRU-Fifth St.-85.70.

Scoping Guidance: History Architecture

The results of the literature and field reviews conducted by the ODOT/OES staff and the OSHPO in July 2009 are summarized by the enclosed table and supporting documentation. Photographs from the July 29, 2009 field review are enclosed. Also, included are photographs of the POR-Main Street work location in the City of Kent. The photographs of this location were taken in conjunction with another undertaking during a joint field review by ODOT-OES and the OSHPO in 2006.

Work locations: ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.

The following work locations involve the removal or the removal and replacement of bridges determined eligible for inclusion on the National Register of Historic Places (NRHP): ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70. The bridges were determined eligible for inclusion on the NRHP as a result of the current ODOT historic bridge survey and evaluation. The survey is being conducted in compliance with the *Programmatic Agreement Among The Federal Highway Administration, Ohio Division, The Advisory Council On Historic Preservation, Ohio Department of Transportation, Ohio State Historic Preservation Officer Regarding Federally Funded or Approved Highway Bridge Projects, Agreement Number 10978*, executed April 3, 2002. The bridges are eligible for inclusion on the NRHP under Criterion C as representative examples of a transitional engineering technology dating to the early twentieth century. The transition from moveable, pin-connections to rigid, riveted-connections was just being explored by bridge engineers. Bridge builders were unsure of how bridges featuring rigid, riveted-connections, would react to live-loads. As a precautionary measure, the subject bridges were designed with the floor beams suspended below the deck. This allowed movement to transfer to the suspended floor beams without causing distortion to the truss members. The bridges are currently functioning as originally designed.

In Ohio, there are numerous examples of Warren pony truss bridges. This bridge type is still being constructed as a standard bridge design. The significance of the seven bridges, at the above listed work locations, is due to the early use of rigid, riveted-connections and the incorporation of suspended floor beams into the design to prevent distortion. Only one other Ohio example was identified in Morrow County.

Measures to minimize harm will be incorporated into the project and may include the reuse of one or more of the bridges at another location as a pedestrian facility or as an educational display. Due to size, weight, and width, an option may include transferring one or more of the trusses by trailer to an appropriate storage location while a new location or use is identified.

In accordance with 36 CFR § 800.5(a), a finding of "adverse effect" is applicable to the following actions in regard to one or more of the seven Warren pony truss bridges, eligible for inclusion on the NRHP: demolition; rehabilitation that alters the historic integrity; or the abandonment without the commitment of a responsible party for future maintenance. Measures to mitigate an adverse effect will be identified through the Section 106 consultation process and will be documented by a Memorandum of Agreement. In accordance with 36 CFR § 800.6, the Advisory Council on Historic Preservation (ACHP) will be provided a copy of the draft Memorandum of Agreement and Section 106 consultation efforts to determine whether they will be participating in consultation. Mitigation may include the preparation of a permanent record documenting the significance of this group of bridges with accompanying photographs of each individual bridge.

Work location: SUM-Park Street-129.50

Work location, SUM-Park Street-129.50, features a bridge determined not eligible for inclusion on the NRHP as a result of ODOT's current bridge survey and evaluation as referenced above. The bridge lacks technological significance. No further investigations are warranted. Refer to the enclosed literature review for additional information regarding the bridge itself.

Work locations: SUM-Thornton Street-131.00, SUM-Overhead Walkway-130.13, POR-Wheeling & Lake Erie RR Bridge-118.20, and POR-NS RR Bridge -110.8

Work locations, SUM-Thornton Street-131.00, SUM-Overhead Walkway-130.13, POR-Wheeling & Lake Erie RR Bridge-118.20, and POR-NS RR Bridge-110.8, are located below existing roadway and pedestrian bridges. The proposed scope of work associated with each of these locations is limited to the existing transportation right-of-way and does not have the potential to effect historic properties. No further investigations are warranted.

Work locations: POR-ABCR & Abandoned RR Bridge -115.67 & 115.80 and MAH-76.60

Bridges located at work locations, POR-ABCR & Abandoned RR Bridge -115.67 & 115.80 and MAH-76.60, are of a type determined not eligible for inclusion on the NRHP pursuant to the Programmatic Agreement, executed April 3, 2002, referenced above. Remnants of the arch approaches associated with work location, MAH-76-60, are not representative of their period of significance due to the removal of the previous truss span. No further investigations are warranted for the POR-ABCR & Abandoned RR Bridge - 115.67 & 115.80 locations.

Work location: POR-Rock Springs Road-105.40

The bridge located at POR-Rock Springs Road-105.40, is a timber bridge. The current ODOT bridge update includes bridges of this type. As demonstrated by the enclosed bridge inventory report for a bridge of a similar type and design (SFN 3946711), the subject bridge is not eligible for inclusion on the NRHP due to lack of technological significance.

Work location: POR-Knapp Road 107.10

Work location, POR-Knapp Road-107.10, features a bridge eligible for inclusion on the NRHP. Several ranch homes are located along Knapp Road near the existing bridge. As a result of field investigations conducted 7-29-09, staff members of ODOT/OES and the OSHPO determined the residential properties located adjacent to the bridge are not significant examples of a period, event, or patterns in history, work of a master, architectural style or method of construction. Refer to the enclosed photographs of this work location.

Work location: POR-Main Street

A portion of the POR-Main Street work location is within the NR boundaries of the Kent Industrial Historic District. At this time, detailed design is not available. Preliminary activities within the historic district boundaries involve the lowering the existing rail line under the Main Street Bridge. Work will be conducted within existing railroad right-of-way. Temporary right-of-way may be required within the NR boundaries. Based on the current scope of work, a finding of "no adverse effect" is anticipated in association with the Kent Industrial Historic District. No land from within the historic district will be permanently incorporated into a transportation facility and no contributing elements will be removed or altered.

Work locations: SUM/TRU-120.00, Interlocking Site, and POR-103.90, Interlocking site

Work locations, SUM/TRU-120.00, Interlocking site, and POR-103.90, Interlocking site, do not require Phase I history/architecture investigations. No right-of-way of way will be required.

Scoping Guidance: Archaeology

A literature review was conducted by ODOT/OES staff in July, 2009. This literature review showed no previously identified archaeological sites or previously surveyed areas within or adjacent to any of the project locations. Aerial mapping indicated that many of the project areas were within urban areas, had been disturbed by roadway or railroad construction, or were in slope. Much of the project work is also taking place within existing right-of-way limits. The majority of project areas, therefore, do not require further archaeological investigation (see attached Archaeological Scoping Guidance table, plan maps, and photograph log).

Four project locations requiring new right-of-way were subjected to field review, as it was noted that some of the takes are in open areas that may be undisturbed. These areas are ASD-TR391-175.70, MED-River Corners-169.70, POR-Knapp Road-107.10, and POR-Rock Springs Road-105.40. The attached table and mapping outlines the archaeological work required at each location, which is limited to shovel testing where new right-of-way exceeds 10 feet in width and is not visibly disturbed or in slope. Areas disturbed or in slope not requiring archaeological testing should be documented and photographed at each of these locations. This scoping guidance was developed based on the plan maps for the proposed undertaking as of August 3, 2009. Should the scope of work change, new scoping guidance would be required.

Recommendation

In accordance with the Advisory Council on Historic Preservation's current regulations and in compliance with 36 CFR 800.3(c)(4), we request concurrence with the archaeology and history/architecture scoping guidance provided in this letter and the attached tables:

- Phase I archaeological investigation at four locations: ASD-TR391-175.70, MED-River Corners-169.70, POR-Knapp Road-107.10, and POR-Rock Springs Road-105.40.
- Phase I history/architecture investigations are not warranted based on refined design and limited right-of-way. The majority of the undertaking has been designed to take place within existing transportation right-of-way.
- A Memorandum of Agreement will document measures to minimize harm due to the adverse effect of the undertaking to the seven Warren pony truss bridges, eligible for inclusion on the NRHP, at work locations: ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.
- A portion of the POR-Main Street work location is within the NR boundaries of the Kent Industrial Historic District. Temporary right-of-way within the NR boundary may be required to facilitate the undertaking. Removal or alteration of contributing features or elements will require additional consultation.

On behalf of FHWA and in accordance with 36 CFR Part 800.3(c)(4), we request your comments on the enclosed by 30 days after the receipt of this letter. If no objection is received within 30 days, in accordance with the Advisory Council on Historic Preservation's current regulations under 36 CFR Part 800.3(c)(4), archaeological and history/architecture coordination may proceed as outlined herein. Please address

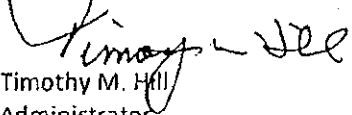
Mr. Epstein
CSX-National Gateway Corridor Improvements

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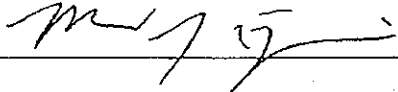
August 3, 2009

questions or concerns to Susan Gasbarro at susan.gasbarro@dot.state.oh.us, 614-728-0719 or Megan Shaeffer at megan.shaeffer@dot.state.oh.us, 614-752-8279.

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:



8.6.09

(Date)

TMH:mks/sg

C: Project File; Reading File



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

Office of Environmental Services

August 10, 2009

Consulting Party Team Member

RE: CSX-National Gateway Corridor Improvements
PID: 85697

Dear Consulting Party Team Member:

We would like to invite you to become a Consulting Party for the CSX-National Gateway Corridor Improvements within the State of Ohio in accordance with Section 106 of the National Historic Preservation Act and the implementing regulations at 36 CFR § 800. The Federal Highway Administration (FHWA) and the Ohio Department of Transportation (ODOT) are proposing improvements within the existing CSX rail line corridor to insure transfer of double-stack intermodal railcars between the Midwest and the eastern United States ports. The majority of the rehabilitation and modernization will occur within transportation right-of-way. Enclosed you will find a copy of the August 6, 2009 Ohio State Historic Preservation Office (OSHPO) concurrence with ODOT's preliminary findings and recommendations. The enclosed map identifies the following work locations:

Mahoning County: Youngstown

- Remove portions of the abandoned railroad bridge located between North West Avenue and the Mahoning River

Portage County: Kent

- Construct a rail interlocking at CSXT Milepost BG 120
- Lower CSXT rail at Wheeling & Lake Erie Railroad Bridge and Main Street Bridge
- Raise the Portage County Hike and Bike Path and the Akron Canton Barberton Cluster Railroad Bridge

Portage County: Ravenna

- Lower tracks at Norfolk Southern Railroad Bridge
- Replace bridge at Knapp Road

Portage County: Newton Falls

- Lower tracks at Norfolk Southern Railroad Bridge
- Construct a rail interlocking at CSXT Milepost BG 103.90

Summit County: Akron

- Lower tracks at Thornton Street and the University of Akron Overhead Walkway
- Permanently remove bridge at Park Street

Trumbull County: Niles

- Replace bridge at Fifth Street

Consulting Party Team Member
CSX-National Gateway Corridor Improvements
PID: 85697
Page 2

August 10, 2009

The intent of this letter is to identify individuals or groups wishing to become a Section 106 Consulting Party. As a Section 106 Consulting Party, you will have the opportunity to offer input to FHWA, with ODOT as their agent, regarding historic properties that may be affected by the proposed improvements. Consulting party involvement includes participation in the identification of the agreed-upon measures to address adverse effects. Section 106 Consulting Parties are identified as individuals or entities with a demonstrated interest in the effect of the undertaking on properties listed on the NRHP or that are eligible for listing on the NRHP. A consulting party meeting is being planned for September 2009. Upon receipt of the enclosed application, notification of time and location will be forwarded. Forward comments or questions to:

Ohio Department of Transportation
Timothy M. Hill, Administrator
Attn: Susan Gasbarro
Office of Environmental Services
1980 West Broad Street
Columbus, Ohio 43223

Or e-mail at: Susan.Gasbarro@dot.state.oh.us

In addition, enclosed is a copy of an invitation to the public meeting to be held on August 19, 2009. Representatives from ODOT and CSX Transportation, Inc. (CSXT) will be available to answer project questions at that time.

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

TMH/sg
Enclosure

August 10, 2009

Consulting Party Team Member
CSX-National Gateway Corridor Improvements
PID: 85697
Page 3

cc:

Carol Legard
FHWA Liason
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Avenue NW, Suite 809
Washington, DC 20004

Federal Highway Administration
Dave Snyder
Environmental Project Manager
200 North High Street, Room 328
Columbus, Ohio 43215-2408

Ohio State Historical Society
Mark Epstein
1982 Velma Avenue
Columbus, Ohio 43211-2497
Ohio Bridge Association

CSX Transportation, Inc.
Keith Brinker
500 Water Street
Jacksonville, Florida 32202

Ashland County Historical Society
Marybelle Landrum, Manager
PO Box 484
Ashland, Ohio 44805-0484

Medina County Historical Society
P.O. Box 306
Medina, Ohio 44258-0306

Portage County Historical Society
Raymond Wilson, President
6549 North Chestnut Street
Ravenna, Ohio 44266-3907

Mahoning Valley Historical Society
H. William Lawson, Director
648 Wick Avenue
Youngstown, Ohio 44502-1215

Consulting Party Team Member
CSX-National Gateway Corridor Improvements
PID: 85697
Page 4

August 10, 2009

Niles Historical Society
Norma McBride, President
P.O. Box 368
Niles, Ohio 4446-0368

Kent Historical Society
PO Box 663
Kent, Ohio 44240-0012

Westfield Historical Society
PO Box 71
Westfield Center, Ohio 44251-0071

Ohio Historic Bridge Society
David Simmons
1982 Velma Avenue
Columbus, Ohio 43211-2497

CSX - NATIONAL GATEWAY CORRIDOR IMPROVEMENTS
PID: 85697

APPLICATION TO BE CONSIDERED A
SECTION 106 CONSULTING PARTY FOR HISTORIC PROPERTY IMPACTS
-Please Print-

Name:	
Title:	
Representing:	
Address:	
Phone:	
E-mail:	

Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR Part 800), requires Federal agencies to take into account the effects of their undertakings on Historic properties. The Section 106 process also encourages the incorporation of historic preservation values into project planning through consultation among parties with a demonstrated interest due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effect on historic properties. Please summarize your interest in historic properties as related to this project:

Please mail or fax to:

Ohio Department of Transportation
Timothy M. Hill
Administrator
Office of Environmental Services
1980 West Broad Street
Columbus, Ohio 43223

Fax: (614) 728-7368

REC'D. ENV. AUG 03 2009



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

August 3, 2009

Mr. Mark Epstein, Department Head
Resource Protection and Review
Ohio Historic Preservation Office
567 East Hudson Street
Columbus, Ohio 43211

Attn: Nancy Campbell, ODOT Review Manager, History/Architecture
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Project Description

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AN EQUAL OPPORTUNITY EMPLOYER AND PROVIDER OF SERVICES



August 3, 2009

Mr. Epstein
CSX-National Gateway Corridor Improvements

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Scoping Guidance: History Architecture

The results of the literature and field reviews conducted by the ODOT/OES staff and the OSHPO in July 2009 are summarized by the enclosed table and supporting documentation. Photographs from the July 29, 2009 field review are enclosed. Also, included are photographs of the POR-Main Street work location in the City of Kent. The photographs of this location were taken in conjunction with another undertaking during a joint field review by ODOT-OES and the OSHPO in 2006

Work locations: ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.

The following work locations involve the removal or the removal and replacement of bridges determined eligible for inclusion on the National Register of Historic Places (NRHP): ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70. The bridges were determined eligible for inclusion on the NRHP as a result of the current ODOT historic bridge survey and evaluation. The survey is being conducted in compliance with the *Programmatic Agreement Among The Federal Highway Administration, Ohio Division, The Advisory Council On Historic Preservation, Ohio Department of Transportation, Ohio State Historic Preservation Officer Regarding Federally Funded or Approved Highway Bridge Projects, Agreement Number 10978*, executed April 3, 2002. The bridges are eligible for inclusion on the NRHP under Criterion C as representative examples of a transitional engineering technology dating to the early twentieth century. The transition from moveable, pin-connections to rigid, riveted-connections was just being explored by bridge engineers. Bridge builders were unsure of how bridges featuring rigid, riveted-connections, would react to live-loads. As a precautionary measure, the subject bridges were designed with the floor beams suspended below the deck. This allowed movement to transfer to the suspended floor beams without causing distortion to the truss members. The bridges are currently functioning as originally designed.

In Ohio, there are numerous examples of Warren pony truss bridges. This bridge type is still being constructed as a standard bridge design. The significance of the seven bridges, at the above listed work locations, is due to the early use of rigid, riveted-connections and the incorporation of suspended floor beams into the design to prevent distortion. Only one other Ohio example was identified in Morrow County.

Measures to minimize harm will be incorporated into the project and may include the reuse of one or more of the bridges at another location as a pedestrian facility or as an educational display. Due to size, weight, and width, an option may include transferring one or more of the trusses by trailer to an appropriate storage location while a new location or use is identified.

In accordance with 36 CFR § 800.5(a), a finding of "adverse effect" is applicable to the following actions in regard to one or more of the seven Warren pony truss bridges, eligible for inclusion on the NRHP: demolition; rehabilitation that alters the historic integrity; or the abandonment without the commitment of a responsible party for future maintenance. Measures to mitigate an adverse effect will be identified through the Section 106 consultation process and will be documented by a Memorandum of Agreement. In accordance with 36 CFR § 800.6, the Advisory Council on Historic Preservation (ACHP) will be provided a copy of the draft Memorandum of Agreement and Section 106 consultation efforts to determine whether they will be participating in consultation. Mitigation may include the preparation of a permanent record documenting the significance of this group of bridges with accompanying photographs of each individual bridge.

Work location: SUM-Park Street-129.50

Work location, SUM-Park Street-129.50, features a bridge determined not eligible for inclusion on the NRHP as a result of ODOT's current bridge survey and evaluation as referenced above. The bridge lacks technological significance. No further investigations are warranted. Refer to the enclosed literature review for additional information regarding the bridge itself.

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Work locations, SUM-Thornton Street-131.00, SUM-Overhead Walkway-130.13, POR-Wheeling & Lake Erie RR Bridge-118.20, and POR-NS RR Bridge-110.8, are located below existing roadway and pedestrian bridges. The proposed scope of work associated with each of these locations is limited to the existing transportation right-of-way and does not have the potential to effect historic properties. No further investigations are warranted.

Work locations: POR-ABCR & Abandoned RR Bridge -115.67 & 115.80 and MAH-76.60

Bridges located at work locations, POR-ABCR & Abandoned RR Bridge -115.67 & 115.80 and MAH-76.60, are of a type determined not eligible for inclusion on the NRHP pursuant to the Programmatic Agreement, executed April 3, 2002, referenced above. Remnants of the arch approaches associated with work location, MAH-76-60, are not representative of their period of significance due to the removal of the previous truss span. No further investigations are warranted for the POR-ABCR & Abandoned RR Bridge - 115.67 & 115.80 locations.

Work location: POR-Rock Springs Road-105.40

The bridge located at POR-Rock Springs Road-105.40, is a timber bridge. The current ODOT bridge update includes bridges of this type. As demonstrated by the enclosed bridge inventory report for a bridge of a similar type and design (SFN 3946711), the subject bridge is not eligible for inclusion on the NRHP due to lack of technological significance.

Work location: POR-Knapp Road 107.10

Work location, POR-Knapp Road-107.10, features a bridge eligible for inclusion on the NRHP. Several ranch homes are located along Knapp Road near the existing bridge. As a result of field investigations conducted 7-29-09, staff members of ODOT/OES and the OSHPO determined the residential properties located adjacent to the bridge are not significant examples of a period, event, or patterns in history, work of a master, architectural style or method of construction. Refer to the enclosed photographs of this work location.

Work location: POR-Main Street

A portion of the POR-Main Street work location is within the NR boundaries of the Kent Industrial Historic District. At this time, detailed design is not available. Preliminary activities within the historic district boundaries involve the lowering the existing rail line under the Main Street Bridge. Work will be conducted within existing railroad right-of-way. Temporary right-of-way may be required within the NR boundaries. Based on the current scope of work, a finding of "no adverse effect" is anticipated in association with the Kent Industrial Historic District. No land from within the historic district will be permanently incorporated into a transportation facility and no contributing elements will be removed or altered.

Work locations: SUM/TRU-120.00, Interlocking Site, and POR-103.90, Interlocking site

August 3, 2009

Work locations, SUM/TRU-120.00, Interlocking site, and POR-103.90, Interlocking site, do not require Phase I history/architecture investigations. No right-of-way of way will be required

Scoping Guidance: Archaeology

A literature review was conducted by ODOT/OES staff in July, 2009. This literature review showed no previously identified archaeological sites or previously surveyed areas within or adjacent to any of the project locations. Aerial mapping indicated that many of the project areas were within urban areas, had been disturbed by roadway or railroad construction, or were in slope. Much of the project work is also taking place within existing right-of-way limits. The majority of project areas, therefore, do not require further archaeological investigation (see attached Archaeological Scoping Guidance table, plan maps, and photograph log).

Four project locations requiring new right-of-way were subjected to field review, as it was noted that some of the takes are in open areas that may be undisturbed. These areas are ASD-TR391-175.70, MED-River Corners-169.70, POR-Knapp Road-107.10, and POR-Rock Springs Road-105.40. The attached table and mapping outlines the archaeological work required at each location, which is limited to shovel testing where new right-of-way exceeds 10 feet in width and is not visibly disturbed or in slope. Areas disturbed or in slope not requiring archaeological testing should be documented and photographed at each of these locations. This scoping guidance was developed based on the plan maps for the proposed undertaking as of August 3, 2009. Should the scope of work change, new scoping guidance would be required.

Recommendation

In accordance with the Advisory Council on Historic Preservation's current regulations and in compliance with 36 CFR 800.3(c)(4), we request concurrence with the archaeology and history/architecture scoping guidance provided in this letter and the attached tables:

- Phase I archaeological investigation at four locations: ASD-TR391-175.70, MED-River Corners-169.70, POR-Knapp Road-107.10, and POR-Rock Springs Road-105.40.
- Phase I history/architecture investigations are not warranted based on refined design and limited right-of-way. The majority of the undertaking has been designed to take place within existing transportation right-of-way.
- A Memorandum of Agreement will document measures to minimize harm due to the adverse effect of the undertaking to the seven Warren pony truss bridges, eligible for inclusion on the NRHP, at work locations: ASD-TR 150-175.30; ASD-TR 391-175.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.
- A portion of the POR-Main Street work location is within the NR boundaries of the Kent Industrial Historic District. Temporary right-of-way within the NR boundary may be required to facilitate the undertaking. Removal or alteration of contributing features or elements will require additional consultation.

On behalf of FHWA and in accordance with 36 CFR Part 800.3(c)(4), we request your comments on the enclosed by 30 days after the receipt of this letter. If no objection is received within 30 days, in accordance with the Advisory Council on Historic Preservation's current regulations under 36 CFR Part 800.3(c)(4), archaeological and history/architecture coordination may proceed as outlined herein. Please address

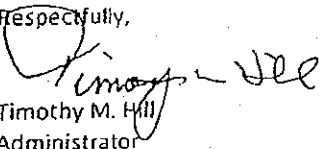
Mr. Epstein
CSX-National Gateway Corridor Improvements

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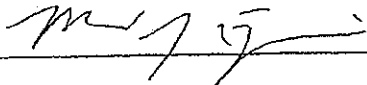
August 3, 2009

questions or concerns to Susan Gasbarro at susan.gasbarro@dot.state.oh.us, 614-728-0719 or Megan Shaeffer at megan.shaeffer@dot.state.oh.us, 614-752-8279

Respectfully,


Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:

 8.6.09
(Date)

TMH:mks/sg

C: Project File; Reading File



Gary Sease
500 Water Street
Jacksonville, Florida 32202
Gary_Sease@CSX.com

August 11, 2009

RE: Open House Public Involvement Meeting, National Gateway, ODOT District 4 Rail Infrastructure Enhancements

Dear Public Official / Business-Property Owner / Interested Citizen:

The Ohio Department of Transportation (ODOT) and CSX Transportation, Inc. (CSXT) are hosting a public open house to discuss the National Gateway clearance projects. This initiative involves bridge replacements and track lowerings along CSXT's railroad between Sullivan and Youngstown, Ohio to obtain necessary overhead clearance required to allow more efficient and environmentally beneficial double-stack trains to pass. The following clearance projects are planned to occur in the following counties:

Mahoning County

Youngstown

- Remove portions of the abandoned railroad bridge located between North West Avenue and the Mahoning River

Portage County

Kent

- Construct a rail interlocking at CSXT Milepost BG 120
- Lower CSXT rail at Wheeling & Lake Erie Railroad Bridge and Main Street Bridge
- Raise the Portage County Hike and Bike Path as well as Akron Canton Barberton Cluster Railroad Bridge

Ravenna

- Lower tracks at Norfolk Southern Railroad Bridge
- Replace bridge at Knapp Road

Newton Falls

- Replace bridge at Rock Springs Road
- Construct a rail interlocking at CSXT Milepost BG 103.90

Summit County

Akron

- Lower tracks at Thornton Street and the University of Akron Overhead Walkway
- Permanently remove bridge at Park Street

"Environmentally on Track"

Media Advisory: Public Meeting for National Gateway Clearance Projects in Mahoning, Portage, Summit and Trumbell Counties

DATE: Wednesday, August 19, 2009

TIME: 4:30 p.m. to 7:30 p.m. (Open House Format)

LOCATION: Northeast Ohio University College of Medicine & Pharmacy located at 4209 State Route 44, Rootstown, Ohio 44272

The Ohio Department of Transportation (ODOT) and CSX Transportation, Inc. (CSXT) will host a public open house to discuss the National Gateway rail infrastructure enhancements.

The initiative involves bridge replacements and track lowerings along CSXT's railroad between Sullivan and Youngstown, Ohio to obtain necessary vertical clearance required to allow more efficient and environmentally beneficial double-stack trains to pass. The following clearance projects are planned to occur in the following counties and require the following work:

Mahoning County

Youngstown

- Remove portions of the abandoned railroad bridge located between North West Avenue and the Mahoning River

Portage County

Kent

- Construct a rail interlocking at CSXT Milepost BG 120
- Lower CSXT rail at Wheeling & Lake Erie Railroad Bridge, and Main Street Bridge
- Raise the Portage County Hike and Bike Path as well as Akron Canton Barberton Cluster Railroad Bridge

Ravenna

- Lower tracks at Norfolk Southern Railroad Bridge
- Replace bridge at Knapp Road

Newton Falls

- Replace bridge at Rock Springs Road
- Construct a rail interlocking at CSXT Milepost BG 103.90

Summit County

Akron

- Lower tracks at Thornton Street and the University of Akron Overhead Walkway
- Permanently remove bridge at Park Street

Trumbell County

Niles

- Replace bridge at Fifth Street

The purpose of this meeting is to present and discuss the proposed improvement project with the general public, residents, business and property owners and public officials and to solicit public comments regarding the proposed improvement and its social, economic, and environmental impacts. In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR 800), information regarding the presence of any known cultural resources in the vicinity of the project is also requested. Cultural resources include prehistoric and historic archaeological sites, historic bridges, historic buildings, sites and districts.

Representatives from the ODOT, CSXT and consulting engineers will be present to discuss the proposed project, right-of-way acquisition process, environmental considerations as well as address any questions and concerns that you may have regarding this proposed transportation improvement project. The project is scheduled for construction in 2010. Detailed closure and detour information will be available at the public meeting.

Written comments may be submitted by September 3, 2009 to the attention of:

Hadley Stamm
ARCADIS
284 Cramer Creek Court
Dublin, Ohio 43017

Media Contacts:

Bob Sullivan
CSX Transportation, Inc.
1-877-835-5279
Robert_Sullivan@csx.com

Margaret Williams
APCO Worldwide
312-368-7532
mwilliams@apcoworldwide.com

Trumbell County

Niles

- Replace bridge at Fifth Street

This letter is to inform you that an Open House Public Involvement Meeting will be held on **Wednesday, August 19, 2009 from 4:30 p.m. to 7:30 p.m.** at the Northeast Ohio University College of Medicine and Pharmacy located at 4209 Sate Route 44, Rootstown, Ohio 44272. No formal presentation will be made during this open house public involvement meeting.

The purpose of this meeting is to discuss the proposed improvement project and its benefits with the general public, residents, business and property owners and public officials and to solicit public comments regarding the proposed improvement and their social, economic, and environmental impacts. In compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (codified as 36 CFR 800), information regarding the presence of any known cultural resources in the vicinity of the project is also requested. Cultural resources include prehistoric and historic archaeological sites, historic bridges, historic buildings, sites and districts.

Representatives from the ODOT, CSXT and consulting engineers will be present to discuss the proposed project, right-of-way acquisition process, environmental considerations, as well as address any questions and concerns that you may have regarding this proposed transportation improvement project. The project is scheduled for construction in 2010. Detailed closure and detour information will be available at the meeting.

This public involvement is an opportunity to provide your comments. Therefore, your attendance at this meeting is greatly encouraged. Written comments may also be submitted by September 3, 2009, to the attention of:

Hadley Stamm
ARCADIS
284 Cramer Creek Court
Dublin, Ohio 43017

If you have questions or need additional information, please contact Rusty Orben at 614-242-3935 or by electronic mail at Rusty.Orben@csx.com. We sincerely appreciate your assistance.

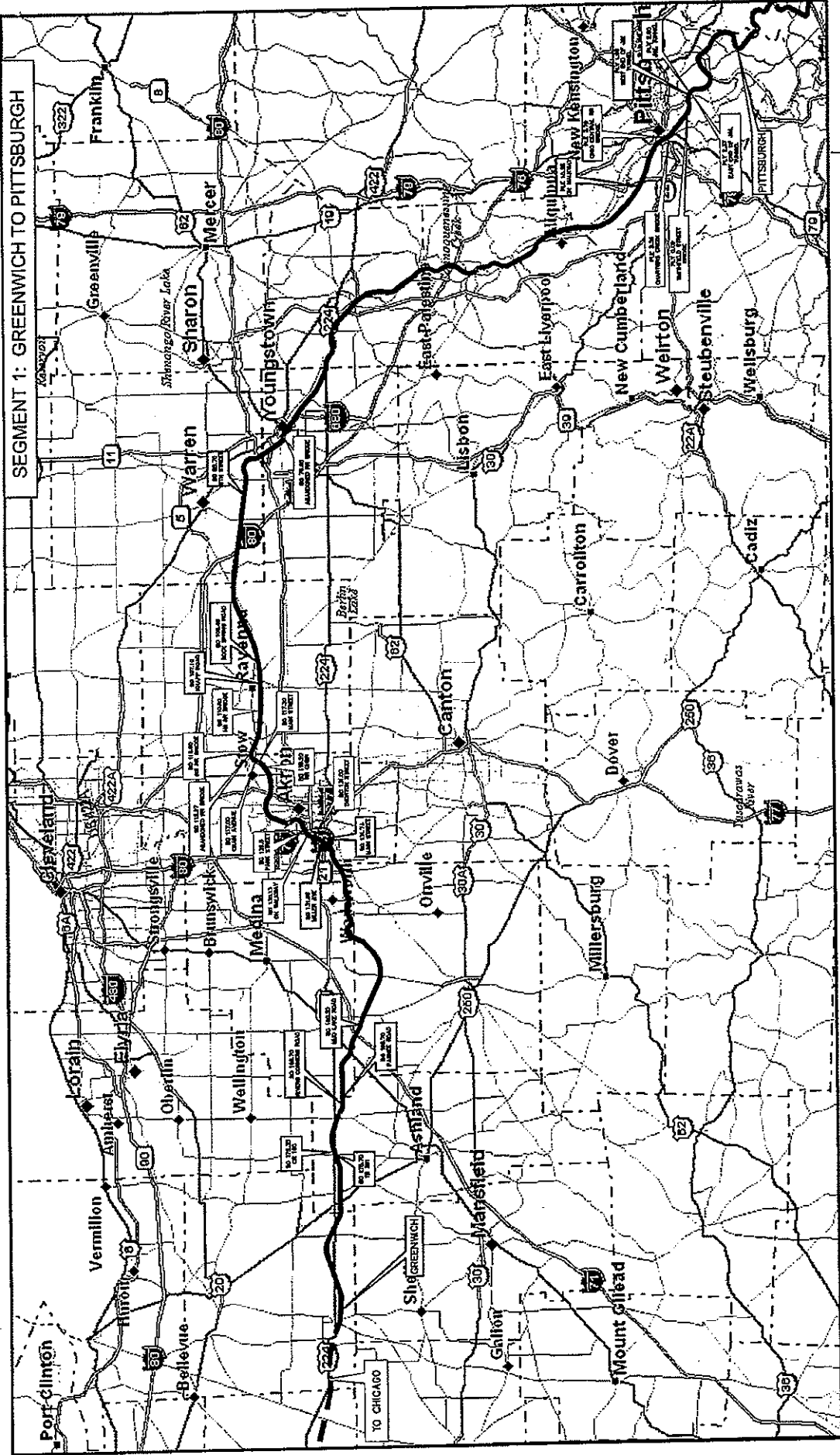
Respectfully,

Gary Sease
Corporate Communications
CSX Transportation, Inc.
cc:



Section II. Location Maps - II-3

CSXT Clearance Improvement Feasibility Study between Greenwch, OH and Chambersburg, PA; Baltimore, MD and Weirton, NC



DMJM HARRIS AECOM



OHIO DEPARTMENT OF TRANSPORTATION

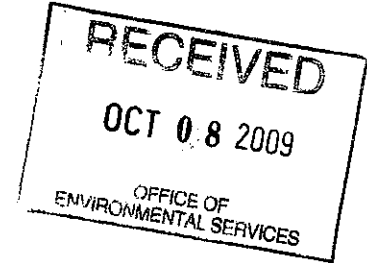
CENTRAL OFFICE • 1980 WEST BROAD STREET • COLUMBUS, OH 43223

TED STRICKLAND, GOVERNOR • JOLENE M. MOLITORIS, DIRECTOR

OFFICE OF ENVIRONMENTAL SERVICES

September 29, 2009

Mr. Mark Epstein, Department Head
 Resource Protection and Review
 Ohio Historic Preservation Office
 567 East Hudson Street
 Columbus, Ohio 43211



Attn: Nancy Campbell, ODOT Review Manager, History/Architecture
 Thomas Grooms, ODOT Review Manager, Archaeology

Subject: Compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA)

Project: CSX-National Gateway Corridor Improvements – Between Greenwich, Ohio;
 Chambersburg, Pennsylvania; and Weldon, North Carolina

PID: 85697

Dear Mr. Epstein:

The NHPA requires federal agencies to take into account the effects of their actions on historic properties. The implementing regulations, Section 106 are set forth in 36 CFR § 800. The Section 106 process seeks to incorporate historic preservation principles into project planning through consultation through the federal agency and consulting parties. Compliance with Section 106 requires the agency official to identify historic properties that could be affected by a project, assess the potential effect to such properties, and seek ways to avoid, minimize or mitigate any adverse effects to historic properties. The enclosed documentation entitled, *CSX National Gateway Corridor Improvements, PID: 85697, Section 106 Determination of Effects, Supporting Documentation*, prepared by the ODOT-Office of Environmental Services, Cultural Resources Staff, September 2009, provides supporting documentation of the following analysis and the resulting Section 106 effect finding.

Project Description

The subject undertaking is to rehabilitate the existing CSX Transportation corridor to ensuring passage of double-stack, intermodal railcars. The subject undertaking is part of a larger system of existing CSX Transportation corridors extending from the eastern United States ports to the Midwest. Improvements to 18 locations within the State of Ohio have been identified. The proposed improvements consist of nine bridge replacements, construction of crossovers at two interlocking sites, five track lowerings, two bridge raisings, and three bridge demolitions. In addition, new alignments are proposed at several locations. The majority of the proposed work will be within existing transportation right-of-way; however, there are locations where additional right-of-way will be required.

36 CFR § 800.3 Initiation of the Section 106 Process

FHWA, with ODOT as their agent, has determined the subject project, CSX-National Gateway Corridor Improvements, within the State of Ohio, has the potential to cause effects to properties listed on or eligible for listing on the National Register of Historic Places (NRHP).

36 CFR § 800.4 Determine Scope of Identification

Several factors were taken into consideration to determine the scope of the Section 106 identification efforts: the magnitude and scale of the undertaking and that the majority of the work is limited to existing transportation right-of-way; previous disturbance associated with the existing transportation right-of-way; results of literature reviews and likelihood of affecting a previously documented significant cultural resource; the results of field reviews and informal consultation with the Ohio State Historic Preservation Office (OSHPO). Based on these factors, the area of potential effects (APE), as defined in 36 CFR § 800.16(d), is defined as the project footprint, including parcels where new right-of-way will be required. It is not anticipated that the undertaking will affect historic properties located off of tribal lands, which may be of religious and cultural significance. FHWA, with ODOT as their agent, formally consulted with the Ohio State Historic Preservation Office (OSHPO) regarding the scope of identification efforts warranted and the results of preliminary identification efforts. On August 6, 2009, the OSHPO concurred with the following:

- Phase I archaeological investigations are warranted at four locations: ASD-TR 391-775.70, MED-River Corners-169.70, POR-Knapp Road-107.10, and POR-Rock Springs Road-105.40.
- Phase I history/architecture investigations are not warranted. The majority of the undertaking has been designed to take place within existing transportation right-of-way.
- A Memorandum of Agreement will document measures to minimize harm due to the adverse effect of the undertaking to the seven Warren pony truss bridges, eligible for inclusion on the NRHP, at work locations: ASD-TR 150-17.30; ASD-TR 391-715.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.
- A portion of the POR-Main Street work location is within the NR boundaries of the Kent Industrial Historic District. Temporary right-of-way within the NR boundary may be required to facilitate the undertaking. Removal or alteration of contributing features or elements will require additional consultation.

Results of Archaeological Investigations

In an effort to identify the potential of impacting significant archaeological resources, a literature review was conducted by the ODOT-OES staff in July, 2009. This literature review showed no previously identified archaeological sites or previously surveyed areas within or adjacent to any of the project locations. Aerial mapping indicated that many of the project areas are within urban areas, have been disturbed by roadway or railroad construction, or are in slope. Much of the project work is also taking place within existing right-of-way limits. The majority of project areas, therefore, did not require further archaeological investigation. As noted above, in the four project locations where new right-of-way was anticipated further investigations were deemed applicable. Updated project information on these right-of-way takes and construction limits, provided August 28, 2009, eliminated the need for an archaeological investigation at the ASD-TR 150-17.30 project location. Thus, the number of locations warranting archaeological investigations dropped to three: ASD-TR 391-175.70, MED-River Corners-169.70, and POR-Knapp Road-107.10. The ODOT-OES developed a table, mapping,

and a photograph log based on this updated information to guide the necessary Phase I archaeological investigations for each of these three locations.

Fieldwork was conducted by Gray & Pape, Inc. on September 15-17, 2009 and a management summary provided on September 24, 2009. This summary, attached here, shows that a total of 22 shovel test units were dug at the project locations. Three units were excavated at ASD-TR 391-175.70, none yielding cultural artifacts. Sixteen units were excavated at MED-River Corners Road-169.70, yielding one site, 33-ME-382. The site is a lithic scatter which yielded 11 chert flakes and two pieces of fire cracked rock (FCR). It is not considered significant. Finally, three units were excavated at POR-Knapp Road-107.10, none yielding cultural artifacts. Based on findings of the management summary, no further archaeological work is recommended at these locations and no further archaeological work is required for the overall project unless the scope of work changes. The final report for the Phase I archaeological work will be sent to OSHPO for review and comment once it is completed and obtained by the ODOT.

36 CFR § 800.6 Resolution of Adverse Effects

In accordance with 36 CFR § 800.6(a)(1), *Notify the Council and determine Council participation*, FHWA, with ODOT as their agent, notified the Advisory Council on Historic Preservation (Council) of the adverse effect of the undertaking. On August 25, 2009, the Council determined their participation was not warranted. The FHWA, with ODOT as their agent, sent letters to potential Section 106 Consulting Parties on August 10, 2009 with a copy of the August 6, 2009 OSHPO determinations inviting them to participate in Section 106 consultation. As of today's date, no response has been received and no one denied a request to become a Section 106 Consulting Party. On September 21 and 22, 2009, ODOT invited the Medina, Ashland, Trumbull, and Portage County Engineers to participate in the Section 106 consultation process.

A Section 106 consultation meeting is scheduled for October 14, 2009 at 9:00 AM. Participation in the consultation meeting is offered via teleconference in addition to meeting at one of the following locations: the ODOT-Central Office location at 1980 West Broad Street, Columbus, Ohio; the ODOT-District 4 Office at 2088 South Arlington Road, Akron, Ohio; and at the ODOT-District 3 Office in Ashland, Ohio. The enclosed draft Memorandum of Agreement will be discussed and appropriate mitigation measures identified. The final, executed, Memorandum of Agreement, as defined at 36 CFR 800.16(o), will formally document the terms and conditions agreed upon to resolve the adverse effects of the undertaking. FHWA, with ODOT as their agent, will ensure compliance with the terms of the executed agreement.

Conclusion

On behalf of the FHWA, and in accordance with 36 CFR § 800.5(a), ODOT requests your concurrence that an "adverse effect" is applicable to the effects of the undertaking on significant cultural resources based on the following:

- No further archaeological investigations are warranted.
 - No significant archaeological sites were identified within the APE.
 - The majority of the work locations are disturbed by roadway, railway, or urban construction, or are in slope, which precludes archaeological investigation.
 - Site 33-ME-382, identified through Phase I archaeological investigation for this project, is not considered significant.
 - A final report for the Phase I archaeological investigations by Gray & Pape, Inc. will be provided to the OSHPO for final review and comment.

- No further history/architecture investigations are warranted.
 - Memorandum of Agreement will be formalized and executed documenting the agreed upon conditions and terms to resolve the adverse effects to the historic seven Warren pony truss bridges located at: ASD-TR 150-17.30; ASD-TR 391-715.70; MED-River Corners-169.70; MED-Pawnee Road-168.7; MED-Mud Lake Road-160.20; POR-Knapp Road-107.10; and TRU-Fifth Street 85.70.
- The Kent Industrial Historic District will not be adversely effected by the implementation of the POR-Main Street work location improvements.
 - Work within the National Register boundaries will be temporary in nature and will not result in the removal or alteration of contributing features or elements.
 - The OSHPO will be provided an opportunity to review and comment on detailed design for the work within the National Register boundaries of the Kent Industrial Historic District when they become available.
 - If the magnitude of the undertaking changes in association with the POR-Main Street work location, additional consultation with the OSHPO and consulting parties may be required.

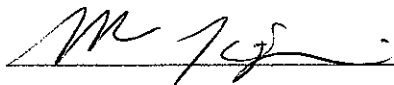
On behalf of FHWA and in accordance with 36 CFR Part 800.3(c)(4), we request your comments on the enclosed by 30 days after the receipt of this letter. If no objection is received within 30 days, in accordance with the Council's current regulations under 36 CFR Part 800.3(c)(4), the agency official may proceed as outlined herein. Please address questions or concerns to Susan Gasbarro at susan.gasbarro@dot.state.oh.us, 614-728-0719 or Megan Shaeffer at megan.shaeffer@dot.state.oh.us, 614-752-8279.

Respectfully,



Timothy M. Hill
Administrator
Office of Environmental Services

OHIO STATE HISTORIC PRESERVATION OFFICE CONCURRENCE:



10.5.09

(Date)

TMH:mks/sg
Enclosure

C: Dave Snyder, FHWA, w/attachments
Mac Vance, ODOT-District 3, w/attachments
Ed Deley, ODOT-District 4, w/attachments
Project File
Reading File

Mr. Epstein
CSX-National Gateway Corridor Improvements
PID: 85697

-5-

September 29, 2009