

208743

BALL JANIK LLP

A T T O R N E Y S

1455 F STREET, NW, SUITE 225
WASHINGTON, D.C. 20005

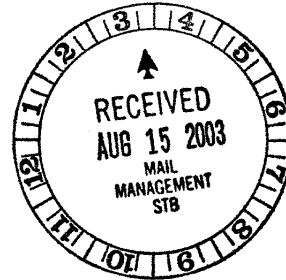
www.balljanik.com

TELEPHONE 202-638-3307
FACSIMILE 202-783-6947

lgitomer@dc.bjllp.com

LOUIS E. GITOMER
OF COUNSEL
(202) 466-6532

August 15, 2003



Victoria Rutson, Esq.
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 640), *CSX Transportation, Inc.—Abandonment—in Atkinson and Ware Counties, Georgia (Between Pearson and Waresboro)*

Dear Ms. Rutson:

Pursuant to 49 C.F.R. § 1152.20(c), enclosed are 10 copies of the Environmental and Historic Reports in the above-entitled proceeding.

Please time and date stamp the additional copy of this letter and the pleadings and return them with our messenger. Thank you for your assistance. If you have any questions, call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Enclosures

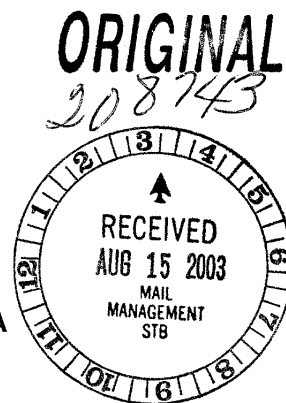
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HISTORIC REPORT

**CSX TRANSPORTATION, INC.
WARESBORO TO PEARSON, GEORGIA
DOCKET AB-55 (SUB-NO. 640)**



1105.7(e)(1)

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

CSX Transportation, Inc. (CSXT) proposes to abandon 23.25 miles of its rail line between Waresboro to Pearson, Ware and Atkinson Counties, Georgia. There are three patrons on this line: Cady Bag Industries, Inc., Pope Reload and Paco Steel, whose commodities are plastics, paper and metals, respectively. These patrons have not generated sufficient rail carloading revenue to cover the operating expense and capital costs associated with ownership.

Abandonment of this line will result in the removal of the rail, crossties, and upper layer of ballast; and operations and maintenance of this line will cease. The only alternative would be to not abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

1105.8(d)

- (1) **A U.S.G.S. topographic map (or an 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.**

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Attached are copies of the Pearson, Axson, Talmo and Waycross West quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black and white diagonal line. (See Attachments 3, 4, 5 and 6.) There are six (6) CSXT-owned structures that are 50 years old or older and their locations are

noted on the attached topographic maps.

- (2) **A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right-of-way varies from 8 feet to 100 feet from the centerline of track.

- (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:**

See Attachments 7 through 18. (Due to the terrain and recent extensive rainfall, side views were unable to be taken.)

- (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:**

Bridge #1 is located at Milepost AP 599.10. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has two timber trestle spans.

Bridge #2 is located at Milepost AP 599.60. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has three timber trestle spans.

Bridge #3 is located at Milepost AP 601.5. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has eight timber trestle spans.

Bridge #4 is located at Milepost AP 605.3. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has 11 timber trestle spans.

Bridge #5 is located at Milepost AP 609.80. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has 46 timber trestle spans.

Bridge #6 is located at Milepost AP 614.30. It was built in 1945 by the Atlantic Coast Line Railroad. This bridge has five timber trestle spans.

- (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 Atlanta, Birmingham & Atlantic Railroad Company conveyed portions of this line to the Atlanta, Birmingham & Atlantic Railway

Company by deeds in 1915 and 1926. In 1926, the properties of the Atlanta, Birmingham & Atlantic Railway Company were conveyed to Atlanta, Birmingham and Coast Railroad Company, which were subsequently conveyed to the Atlantic Coast Line Railroad Company (ACL) in 1945.

Another portion of the line was originally owned by the Brunswick & Albany Railroad Company, which in 1882 changed its name to the Brunswick and Western Railroad Company. The Brunswick and Western Railroad Company consolidated with and into the Savannah, Florida and Western Railway Company in 1901, which merged into the ACL in 1902.

The ACL was originally incorporated on March 14, 1836 in the Commonwealth of Virginia as the Richmond and Petersburg Railroad. On July 1, 1967, the ACL merged with Seaboard Air Line Railroad Company to form the Seaboard Coast Line Railroad Company. On December 29, 1982, the Louisville and Nashville Railroad Company merged with Seaboard Coast Line Railroad Company, which were renamed Seaboard Systems Railroad, Inc. (Seaboard). On July 1, 1986, Seaboard changed its name to CSX Transportation, Inc.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (6) **A brief summary of documents in the carrier's possession, such as engineering drawings that might be useful in documenting a structure that is found to be historic:**

Engineering Sketches and Valuation Maps,
Office of Chief Engineer, Jacksonville, FL.

- (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):**

A review of our records indicates there are six (6) CSXT-owned structures over 50 years old on this line segment that are eligible for listing in the National Register.

We do not know of any significance or uniqueness to these structures that would warrant your consideration, since to our

knowledge, they are not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

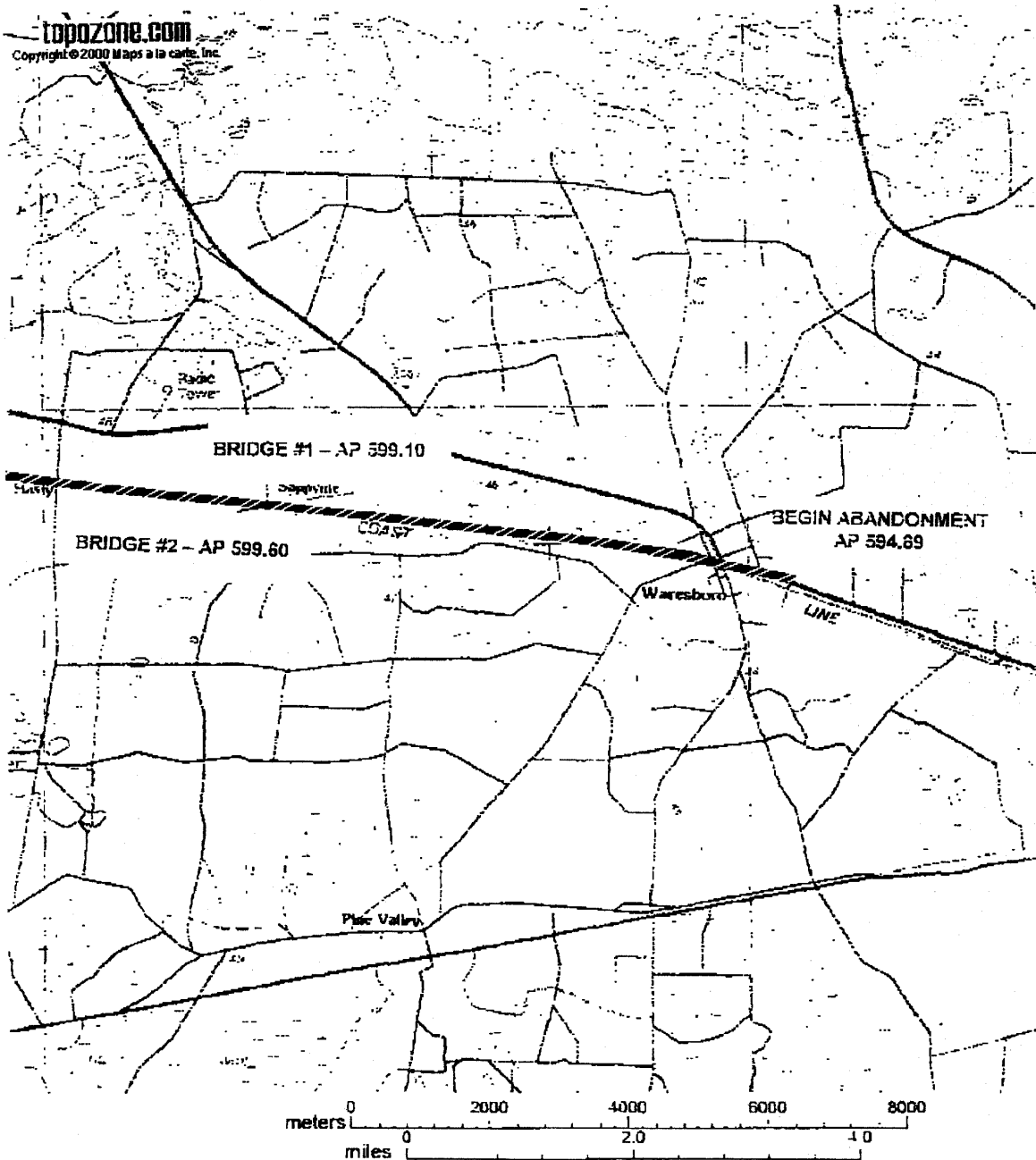
- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence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

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. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

ATTACHMENT 3

U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

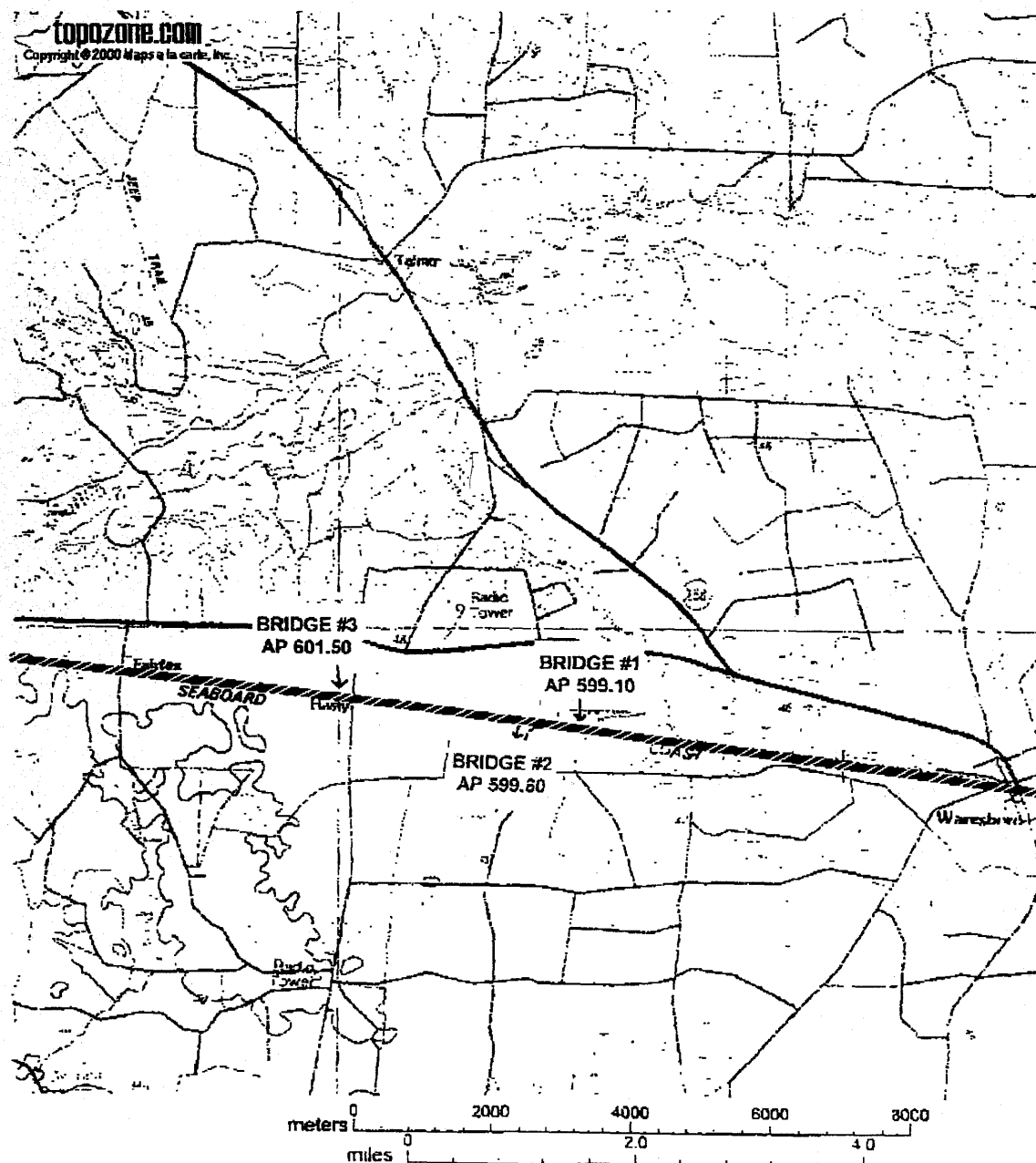
WAYCROSS WEST QUADRANGLE
GEORGIA - WARE COUNTY
1988
Page 1 of 1



ATTACHMENT 4

U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

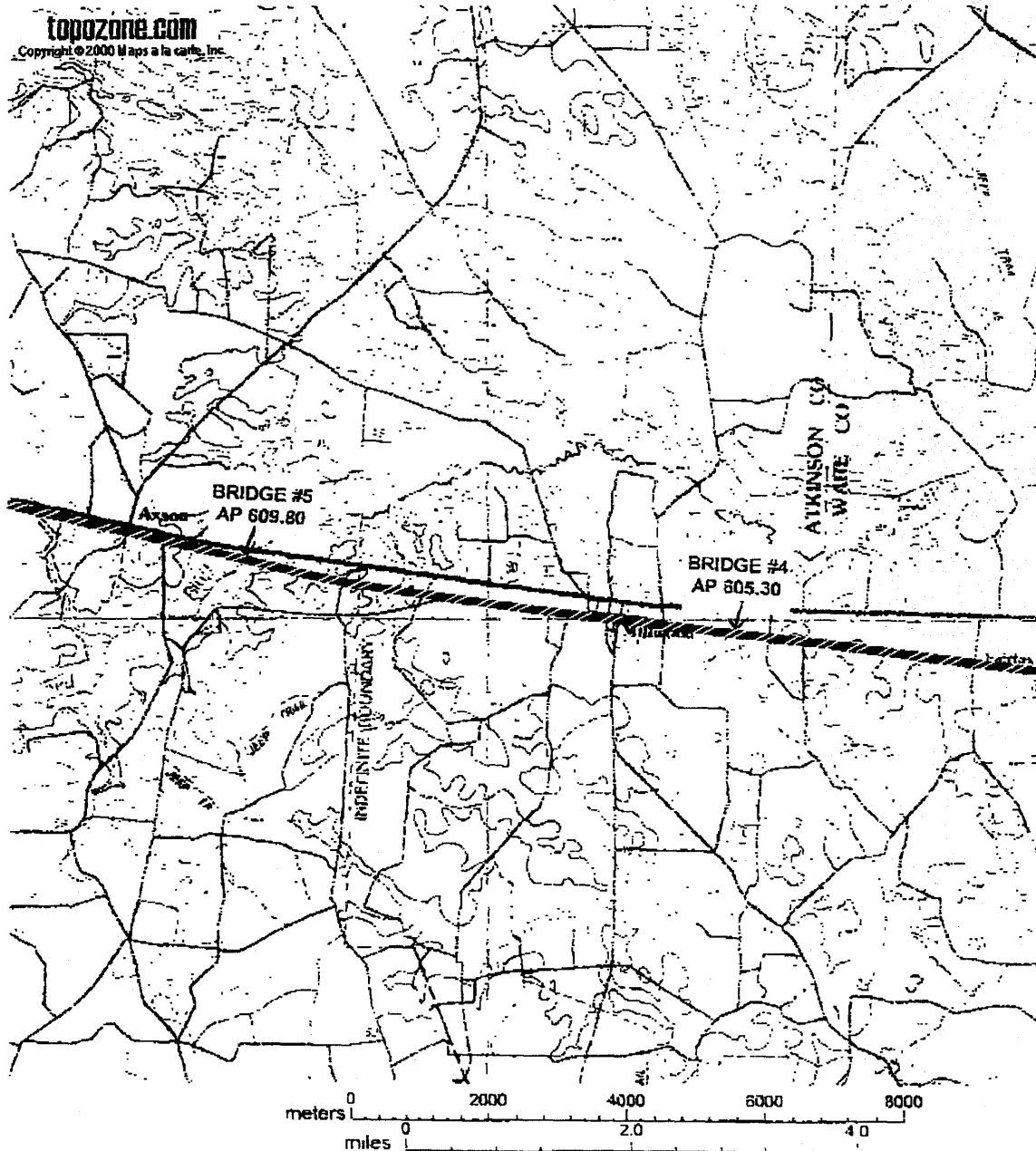
TALMO QUADRANGLE
GEORGIA - WARE COUNTY
1988
Page 1 of 1



ATTACHMENT 5

U.S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

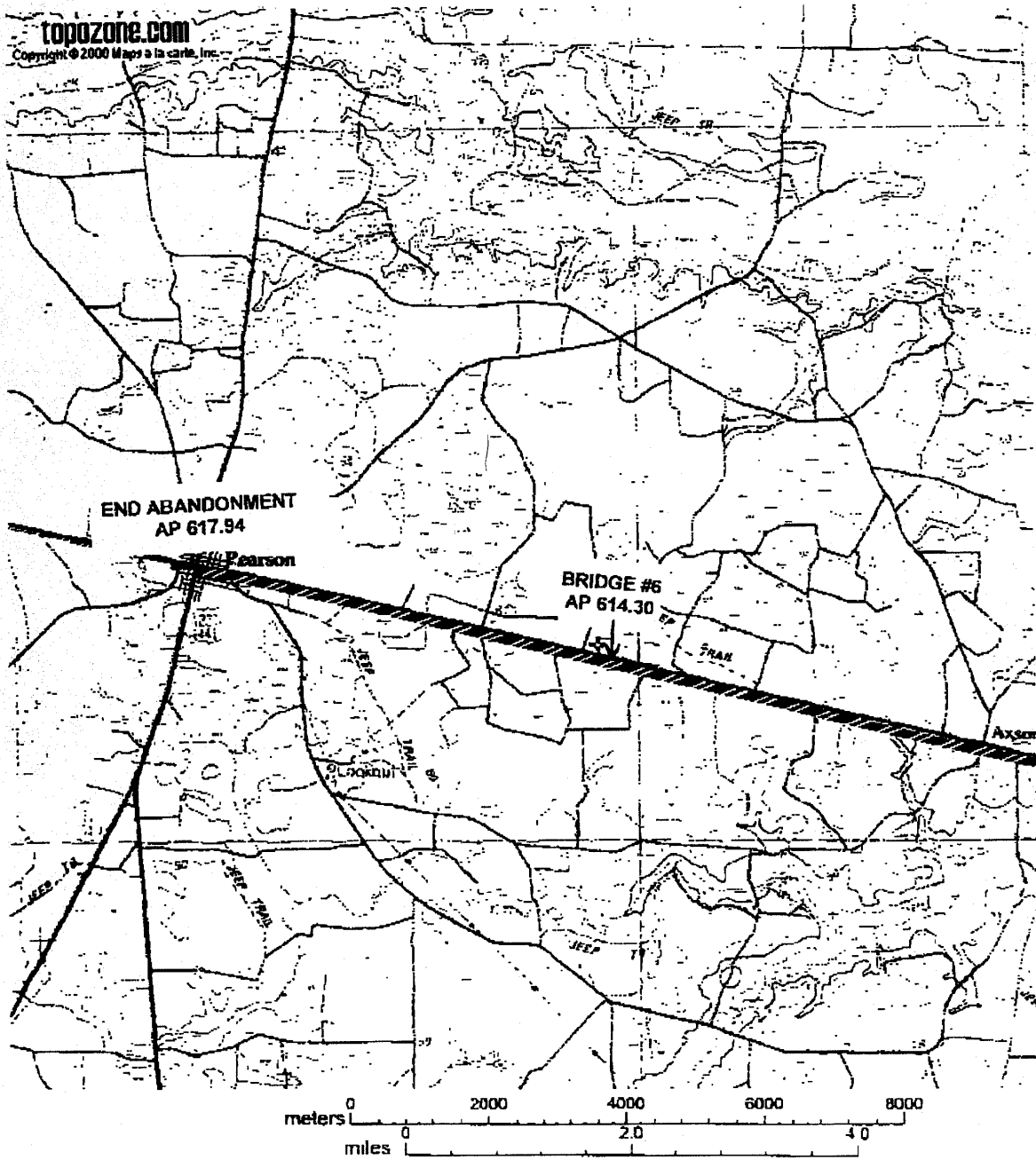
AXSON QUADRANGLE
GEORGIA - ATKINSON COUNTY
1983
Page 1 of 1



ATTACHMENT 3

U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

PEARSON QUADRANGLE
GEORGIA - ATKINSON COUNTY
1987
Page 1 of 1



ATTACHMENT 7

BRIDGE #1



ATTACHMENT 3

BRIDGE #1



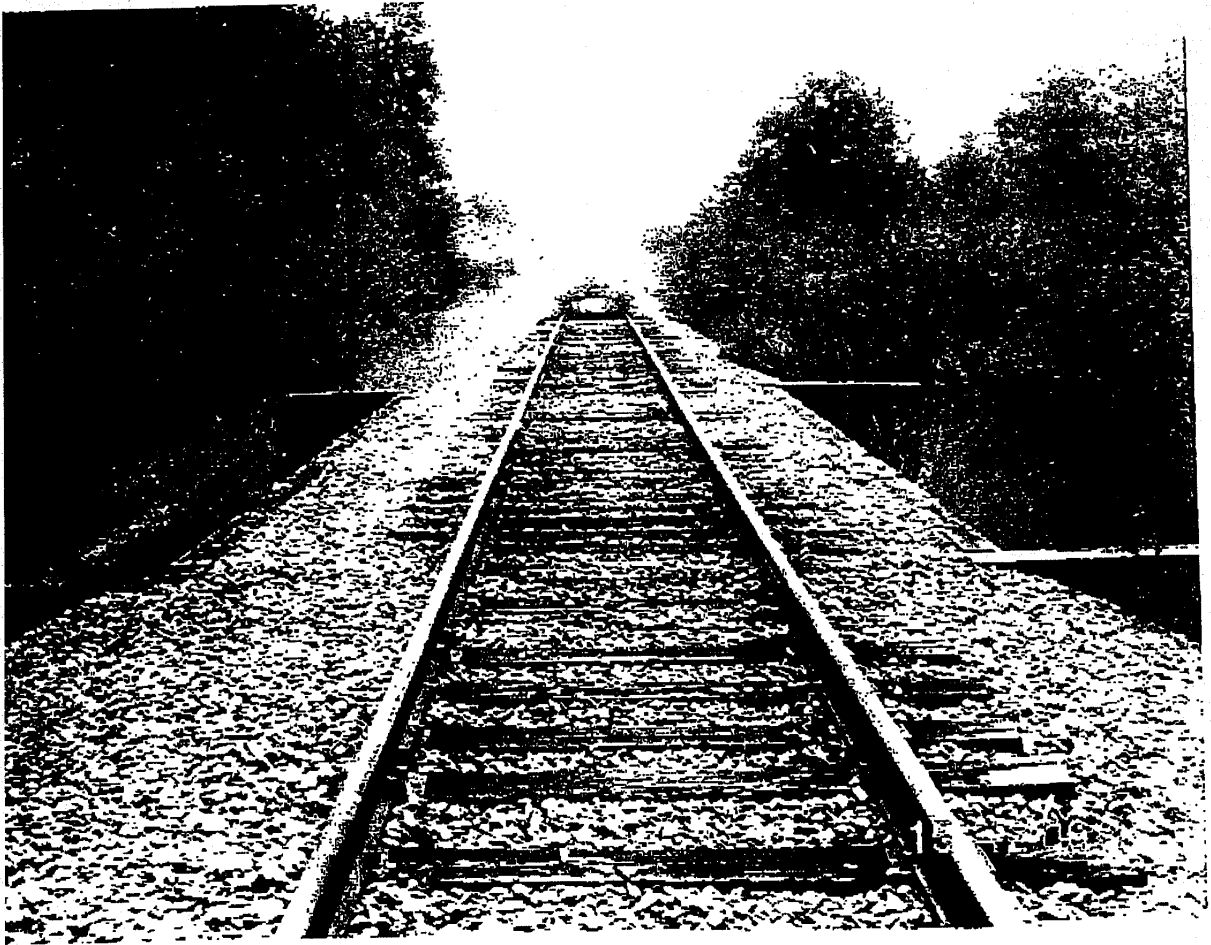
ATTACHMENT 3

BRIDGE #2



ATTACHMENT 12

BRIDGE #2



ATTACHMENT II

BRIDGE #2



ATTACHMENT 12

BRIDGE #3



ATTACHMENT 13

BRIDGE #4



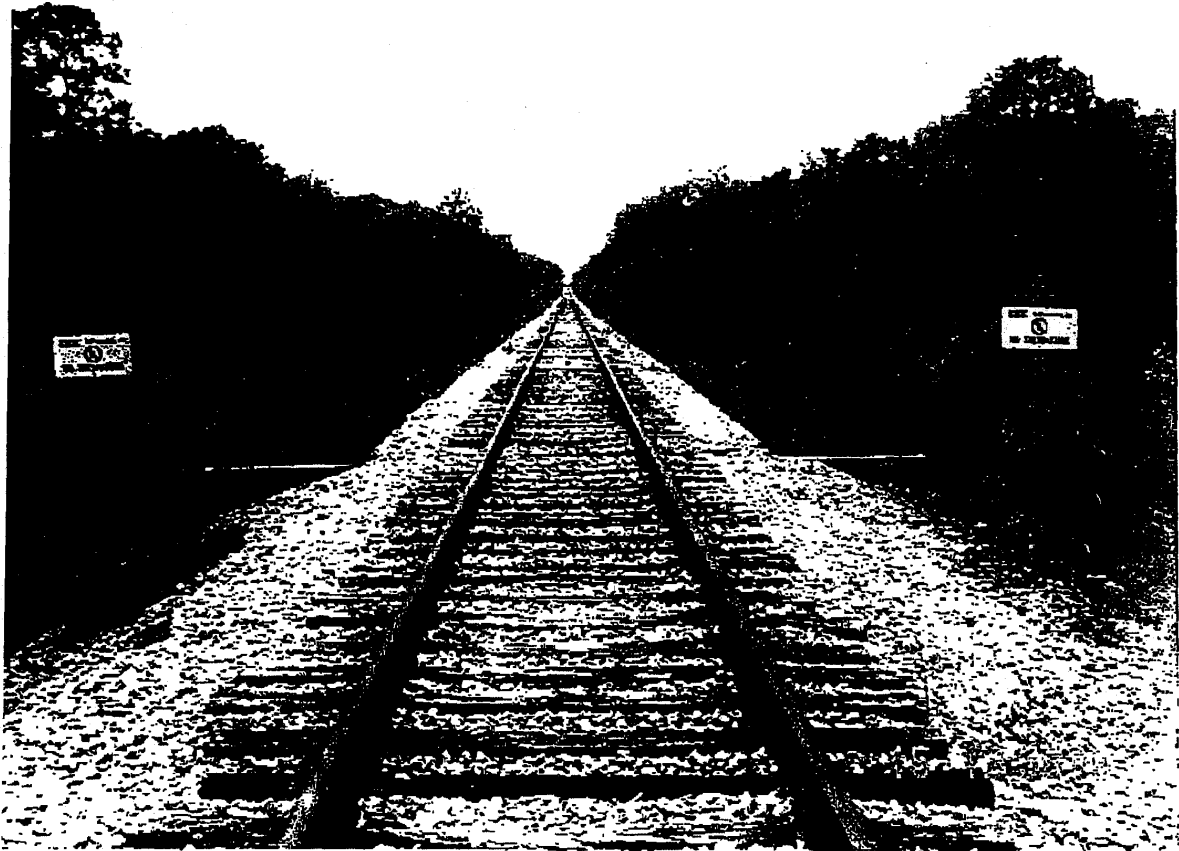
ATTACHMENT 14

BRIDGE #4



ATTACHMENT 13

BRIDGE #5



ATTACHMENT 16

BRIDGE #5



ATTACHMENT 17

BRIDGE #6



1-24-94

ATTACHMENT 13

BRIDGE #6



ORIGINAL

208743

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC.
WARESBORO TO PEARSON, GEORGIA
DOCKET AB-55 (SUB-NO. 640)



The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(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 23.25 miles of its rail line between Waresboro to Pearson, Ware and Atkinson Counties, Georgia. There are three patrons on this line: Cady Bag Industries, Inc., Pope Reload and Paco Steel, whose commodities are plastics, paper and metals, respectively. These patrons have not generated sufficient rail carloading revenue to cover the operating expense and capital costs associated with ownership.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast; subsequently, operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

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(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 will be no effect on existing regional or local transportation systems or 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.**

Applicant has not received responses to its inquiries of July 18, 2003 to the Ware County Planning Commission, the Atkinson County Planning Commission and the City Planning Department for Pearson, Georgia seeking information regarding this statement. (See Attachments 3, 4 and 5.) Applicant believes the proposed action is not inconsistent with local land use plans.

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

Applicant has not received a response to its inquiry of July 18, 2003 to the U. S. Department of Agriculture, Natural Resources Conservation Service, Pearson Service Center seeking information regarding this statement. (See Attachment 6.)

On August 11, 2003 and August 12, 2003, the U. S. Department of Agriculture, Natural Resources Conservation Service, Waycross Service Center responded to our request seeking information regarding this statement. (See Attachments 7 and 8.) On the attached Farmland Conversion Impact Rating form, the Department indicates there is approximately 46% of the project area in both Ware and Atkinson Counties is farmland. (See Attachments 7 and 8.)

While some prime farmland exists in the project area, Applicant believes that the simple removal of track material should have no adverse impact.

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

The proposed project is not located within the State of Georgia's Coastal Management Program. Therefore, consistency with the state's coastal zone management program is not required for this project.

- (iv) **If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

The proposed properties to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests, which may affect transfer of title for other than rail purposes.

(4) ENERGY

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

The proposed action will have no effect on the transportation of energy resources.

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

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

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

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (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.**

There will be no diversion of rail traffic to motor carriage in excess of the above thresholds.

(5) AIR

- (i) If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (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% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The above thresholds will not be exceeded.

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

The above thresholds will not be exceeded.

- (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 restriction); 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.

Not applicable.

(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.

The above thresholds will not be exceeded.

(7) SAFETY

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

There will be no effect on public health and safety as a result of the proposed action. The removal of 24 grade crossings and the associated signs and structures will enhance public safety by eliminating distractions to vehicular traffic crossing the line.

- (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.**

Not applicable.

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

Applicant's records do not indicate any hazardous waste sites or sites where there have been hazardous material spills on this line segment.

(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.**

Applicant has not received a response to its inquiry of July 18, 2003 to the U. S. Fish & Wildlife Service seeking information regarding this statement. (See Attachment 9.) Applicant believes the proposed action is not inconsistent with local land use plans.

Based upon Applicant's intention to remove only the track material and the upper layer of ballast, we do not believe that any federally endangered or threatened species will be negatively affected or critical habitats modified if the line is abandoned.

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

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(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.

Applicant has not received a response to its inquiry of July 18, 2003 to the Georgia Department of Natural Resources seeking information regarding this statement. (See Attachment 10.) Applicant believes the proposed action is not inconsistent with local land use plans.

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

(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.

Applicant has not received responses to its inquiries of July 18, 2003 to the U. S. Army Corps of Engineers, South Atlantic Division and Savannah District seeking information regarding this statement. (See Attachments 11 and 12) Applicant believes the proposed action is not inconsistent with local land use plans.

Applicant is not aware of any designated wetlands or

100-year flood plains within the proposed project.

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

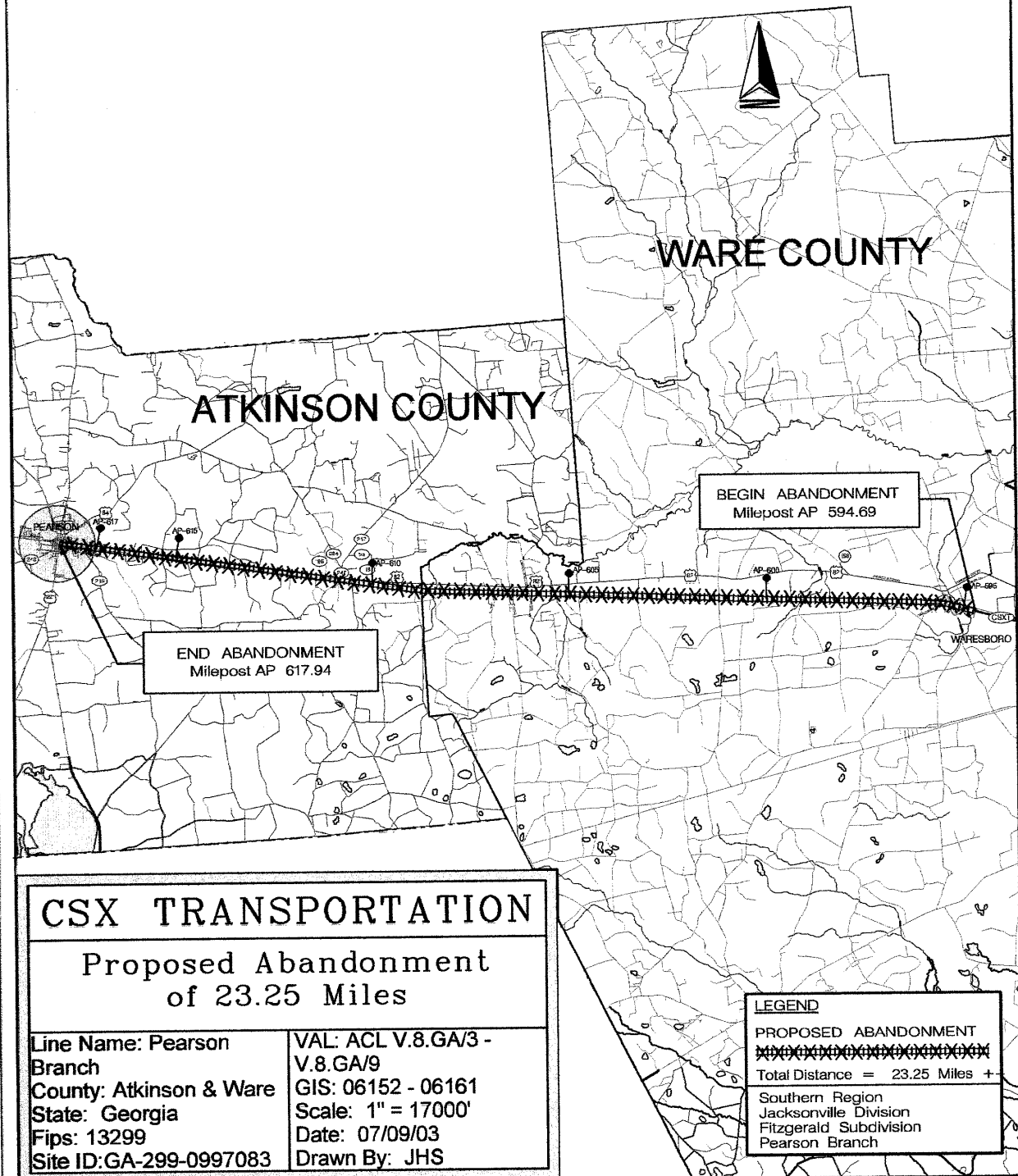
Applicant has not received a response to its inquiry of July 18, 2003 to the U. S. Environmental Protection Agency, Region 4, seeking information regarding this statement. (See Attachment 13.) Applicant believes the proposed action is not inconsistent with local land use plans.

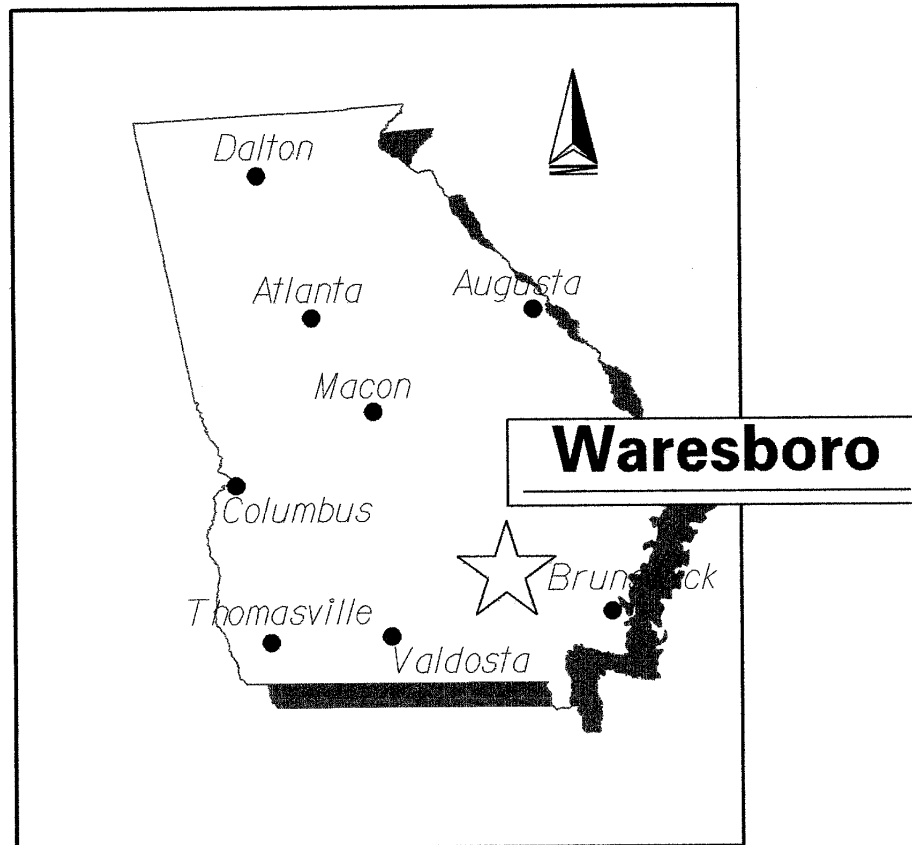
Based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

10. MITIGATION

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

To mitigate any adverse environmental impact in the project area, Applicant will comply with State and Federal regulations and obtain any necessary permits required.





AREA MAP
STATE OF GEORGIA
Proposed Abandonment - 23.25 Miles
Ware & Atkinson Counties
Waresboro to Pearson, GA
SOUTHERN REGION - JACKSONVILLE DIVISION
FITZGERALD SUBDIVISION - PEARSON BRANCH

ATTACHMENT 3



Asset Management
500 Water Street (J200),
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

Ware County Planning Commission
Ware County Courthouse, Suite 223
Waycross, GA 31501

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Waresboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

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

"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."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for Ware County and the line's relationship to such planning.

Sincerely,

A handwritten signature in black ink that reads "Stephanie M. Lemmon". The signature is written in a cursive, flowing style.

Stephanie M. Lemmon

Attachment

ATTACHMENT 4



Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

Atkinson County Planning Commission
Atkinson County Courthouse
P.O. Box 518
Pearson, Georgia 31642

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Waresboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

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

"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."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for Atkinson County and the line's relationship to such planning.

Sincerely,

A handwritten signature in black ink that reads "Stephanie M. Lemmon".
Stephanie M. Lemmon

Attachment



ATTACHMENT 5

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

City Planning Department
P.O. Box 295
Pearson, GA 31642

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Waresboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

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

"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."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for the City of Pearson and the line's relationship to such planning.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephanie M. Lemmon", written in a cursive style.

Stephanie M. Lemmon

Attachment

ATTACHMENT 6



Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

U.S. Department of Agriculture
Natural Resources Conservation Service
Pearson Service Center
826-A Austin Avenue East
Pearson, GA 31642

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Waresboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(ii) require that we 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.

Sincerely,

A handwritten signature in dark ink that reads "Stephanie M. Lemmon". The signature is written in a cursive, flowing style.

Stephanie M. Lemmon

Attachment

601 Tebeau Street, Room 214
Waycross, GA

912
283-5598

ATTACHMENT 7

To: Stephanie M Lemmon, Project Manager Fax: 904-243-2848

From: Charles A. Lagoueyte, Soil Scientist Date: 8/11/2003
USDA, Natural Resources
Conservation Service

Re: Prime Farmland Impact Pages: 4

CC: [Click here and type name]

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle



Lemmon:

Thanking you a Fax with the information you have requested. I have included the format that we
usually include with such requests. Normally the requests are made in situations where the land
is going to be impacted in the future and not in a situation where the land has already been
converted. I hope though, that the form included provides you with the necessary information to
fulfill your needs. If there are further questions, please feel free to call. There is acreage included
within Item A for which our Agency does not have responsibility. I only filled Item A in order to
complete the rest of the form. There are situations where that acreage will not apply, such as in
instances where the cities traversed by the project have slated the area for conversion to urban area
or the site has already been converted to other uses under Farmland Protection Policy Act, and/or
NEPA as examples.

Charles A. Lagoueyte. USDA NRCS

Soil Scientist

.....

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name Of Project Abandonment of Rail Line		Federal Agency Involved Surface Transportation Board			
Proposed Land Use		County And State Ware and Atkinson Counties, Georgia			
PART II (To be completed by NRCS)		Date Request Received By NRCS 7/23/03			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPEA does not apply; do not complete additional parts of this form)		Yes ☒	No ☐	Acres Irrigated NA	Average Farm Size 321 Acre, 182 Wares
Major Crop(s) Cotton, Peanuts, Tobacco, Corn	Farmable Land In Govt. Jurisdiction Acres: 400,496	% 51	Amount Of Farmland As Defined In FPEA Acres: 381, 819		% 46
Name Of Land Evaluation System Used LESA	Name Of Local Site Assessment System NA	Date Land Evaluation Returned By NRCS 8/11/03			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		588.0			
B. Total Acres To Be Converted Indirectly		0.0			
C. Total Acres In Site		588.0	0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		41.0			
B. Total Acres Statewide And Local Important Farmland		224.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		100.0			
PART V (To be completed by NRCS) Land Evaluation Criterion					
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		44	0	0	0
PART VI (To be completed by Federal Agency)					
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))		Maximum Points			
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS		100	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	44	0	0
Total Site Assessment (From Part VI above or a local site assessment)		180	0	0	0
TOTAL POINTS (Total of above 2 lines)		280	44	0	0
Site Selected:		Date Of Selection		Was A Local Site Assessment Used?	
Reason For Selection:				Yes ☒ No ☐	

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 - Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 - Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 - NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 - In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 - NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:

Total points assigned Site A = $180 \times 160 = 144$ points for Site "A"
Maximum points possible 200



CSX TRANSPORTATION, INC.

WARESBORO TO PEARSON, WARE AND ATKINSON COUNTIES, GEORGIA

23.25 miles of track to be abandoned

ATTACHMENT 8



Federal Building, Room 214
601 Tebeau Street
Waycross, Georgia 31502-0797
PH: 912 283-5598
FX: 912 283-8648

From: Charles A. Lagoueyte
Subject: Abandonment of a portion of CSX's rail Line. Waresboro to Pearson.

To: Stephanie M. Lemmon, Project Manager.

Ms. Lemmon:

I am sending you the information requested. I made adjustments to the numbers I faxed you yesterday, and the present numbers more accurately express the correct acreage. As I stated in the fax, I hope the information provided gives you the necessary information. Please feel free to call if there are any questions.

Sincerely,

Charles A. Lagoueyte
Soil Scientist, NRCS

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name Of Project Abandonment of Rail Line		Federal Agency Involved Surface Transportation Board			
Proposed Land Use		County And State Ware and Atkinson Counties, Georgia			
PART II (To be completed by NRCS)		Date Request Received By NRCS 7/23/03			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form).		Yes ☒	No ☐	Acres Irrigated NA	Average Farm Size 321 Atkin., 162 Ware
Major Crop(s) Cotton, Peanuts, Tobacco, Corn	Farmable Land In Govt. Jurisdiction Acres: 400,490 % 51			Amount Of Farmland As Defined in FPPA Acres: 361,819 % 46	
Name Of Land Evaluation System Used LESA	Name Of Local Site Assessment System NA	Date Land Evaluation Returned By NRCS 8/11/03			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		441.1			
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site		441.1	0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		25.0			
B. Total Acres Statewide And Local Important Farmland		117.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted		0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value		100.0			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		24	0	0	0
PART VI (To be completed by Federal Agency)		Maximum Points			
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))					
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS		160	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	24	0	0
Total Site Assessment (From Part VI above or a local site assessment)		160	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	24	0	0
Site Selected:		Date Of Selection		Was A Local Site Assessment Used?	
				Yes ☐ No ☐	
Reason For Selection:					

(See instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 - Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 - Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 - NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 - In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 - NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 - The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will, be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:
Total points assigned Site A = $180 \times 160 = 144$ points for Site "A."

Maximum points possible 200



ATTACHMENT 9

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

U.S. Department of the Interior
Fish and Wildlife Service
Endangered Species Field Station
4270 Norwich Street
Brunswick, GA 31520

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Wareboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) require that we 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.

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. We do 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 materials from entering any watercourses.

Based upon the above described actions, we would appreciate your concurrence in CSXT's 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.

We would appreciate your comments; and, if you have any questions, please feel free to contact me.

Sincerely,

Stephanie M. Lemmon

Attachment



ATTACHMENT 10

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

Georgia Department of Natural Resources
Industrial Wastewater Programs
205 Butler Street, SE, Suite 1070
East Floyd Tower
Atlanta, GA 30334

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Wareboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we 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. We do 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, we would appreciate receiving your concurrence with CSXT's 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.

If you have any questions, please feel free to contact me.

Sincerely,

Stephanie M. Lemmon

Attachment



ATTACHMENT 11

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

Rob Holland, CESAD-PA
US Army Engineer Division, South Atlantic
Room 9M15, 60 Forsyth St. S.W.
Atlanta, Georgia 30303-8801

Dear Mr. Holland:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Wareboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9)(ii) require that we develop a response 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."

It is our opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. We do not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and we do not anticipate any dredging or use of fill in the removal of the track material. The track removal 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. 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.

Based upon the above described actions, we would appreciate your concurrence in CSXT's 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.

We would appreciate your comments; and, if you have any questions, please feel free to call me.

Sincerely,

Stephanie M. Lemmon

Attachment



ATTACHMENT 12

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

U.S. Army Corps of Engineers
Savannah District
Attn: CESAS-OP-F
P.O. Box 889
Savannah, GA 31402-0889

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Waresboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9)(ii) require that we develop a response 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."

It is our opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove CSXT's metal track material, crossies and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. We do not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and we do not anticipate any dredging or use of fill in the removal of the track material. The track removal 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. The crossies 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.

Based upon the above described actions, we would appreciate your concurrence in CSXT's 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.

We would appreciate your comments; and, if you have any questions, please feel free to call me.

Sincerely,

Stephanie M. Lemmon

Attachment



ATTACHMENT 13

Asset Management
500 Water Street (J200)
Jacksonville, FL 32202
Phone: (904) 359-3311
FAX: (904) 245-2848
E-Mail: Stephanie_Lemmon@csx.com

Stephanie M. Lemmon
Project Manager

July 18, 2003

United States Environmental Protection Agency
Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Wareboro and Pearson, Ware and Atkinson Counties, Georgia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we 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. We do 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, we would appreciate receiving your concurrence with CSXT's 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.

If you have any questions, please feel free to contact me.

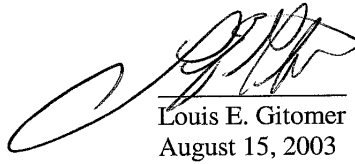
Sincerely,

Stephanie M. Lemmon

Attachment

CERTIFICATION

I, Louis E. Gitomer certify that on August 15, 2003, the Environmental Report of CSX Transportation, Inc., in Docket No. AB-55 (Sub-No. 640), has been served on the appropriate parties within the required time period under 49 CFR 1105.7(b), as required by 49 CFR 1105.7(c).



Louis E. Gitomer
August 15, 2003