

Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. AB 1242

ENTERED
Office of Proceedings
November 15, 2016
Part of
Public Record

**HARTWELL FIRST UNITED METHODIST CHURCH
- ADVERSE ABANDONMENT AND DISCONTINUANCE -
HARTWELL RAILROAD COMPANY AND
THE GREAT WALTON RAILROAD COMPANY, INC., IN HART COUNTY, GA**

ENVIRONMENTAL/HISTORIC REPORT

(color images included)

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Attorneys for
Hartwell First United Methodist Church

Dated: November 15, 2016

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1242

**HARTWELL FIRST UNITED METHODIST CHURCH
- ADVERSE ABANDONMENT AND DISCONTINUANCE -
HARTWELL RAILROAD COMPANY AND
THE GREAT WALTON RAILROAD COMPANY, INC., IN HART COUNTY, GA**

ENVIRONMENTAL/HISTORIC REPORT

Hartwell First United Methodist Church (“Applicant” or “Hartwell First”) intends to file an adverse or third party abandonment and discontinuance application to require Hartwell Railroad Company (“HRT”) to abandon, and The Great Walton Railroad Company, Inc. (“GRWR”) to discontinue service over, the approximately 0.25 miles of railroad tracks and associated right of way (the “Subject Line”) currently owned by HRT over which GRWR has trackage rights, between Athens Street and the end of line at South Forest Avenue, in Hartwell, Hart County, Georgia. The Subject Line is located in United States Postal Service ZIP Code 08066. Maps of the Subject Line, including U.S.G.S. maps and a map showing the general location of the HRT rail line, are attached hereto as Exhibit E.

Applicant plans to seek Board authorization on or about December 9, 2016 for the proposed abandonment and discontinuance¹ by filing an application for adverse abandonment pursuant to the provisions of 49 CFR Subpart C. This Report is being filed in connection

¹ For the purposes of this Report, Applicant will refer to the combined “abandonment and discontinuance” simply as “abandonment.”

therewith in accordance with the requirements of 49 CFR 1152.20(c), and 49 CFR 1105.7 and 1105.8. To prepare this report, Applicant consulted with various state and federal agencies, in June 2016. See the letters attached as Exhibit A. Based on the written responses received by Applicant attached as Exhibit B, and the responses (both oral and written) summarized in the Response Log attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT (49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

In 1990, Bennie Ray Anderson acquired control of HRT, and HRT granted GRWR local trackage rights to provide service over the Bowersville-Hartwell line. *Great Walton Railroad Co., d/b/a Hartwell Railroad Co. – Trackage Rights Exemption – Hartwell Railway Co.*, ICC Finance Docket No. 31626, 53 FR 12958 (April 6, 1990). According to HRT's website (www.greatwaltonrailroad.com/hartwell.html), Hartwell Railway changed its name to Hartwell Railroad in 1995. From their joint website, it is clear that HRT and GWBR are commonly controlled railroads.

While at one time many years ago there may have been railroad shippers located along the Subject Line, changes in the ownership of the adjoining properties and the character of the area of Hartwell now means that there is no longer any demand for service, or any opportunities for new freight service along the Subject Line. Applicant does not believe that there has been any freight service over the Subject Line since before Mr. Anderson acquired control of HRT, and GWRT obtained authority to operate over the Subject Line. The grade crossings between Athens Street and Jackson Street have been removed or paved over. HRT and GWRT have leased the right of way to TORCH, a non-profit corporation, for development of a walking trail

and farmers' market. Thus, Hartwell First does not believe that there is any public need or necessity for HRT and GWRT to provide freight service over the Subject Line.

Hartwell First currently owns property and buildings on both sides of the Subject Line (as shown on the maps in Exhibit E). Hartwell First wishes to develop these adjacent properties for additional facilities, and if its application for adverse abandonment is granted by the STB, Hartwell First will seek quiet title to the right of way that splits its property.

Since no freight rail service has been provided on the Subject Line for a number of years, Applicant believes that the proposed abandonment would not result in any significant changes in operations, and would not have any significant effects upon the environment.

2. EFFECTS ON TRANSPORTATION SYSTEM

Since there has been no freight rail service for a number of years, Applicant does not believe that there will be any effects on the transportation system as a result of the proposed abandonment. Applicant served notice of the proposed abandonment upon agencies that would be concerned with the transportation system including the Georgia Department of Transportation (headquarters in Atlanta, and District 1 in Gainesville) ("GaDOT"), and Hart County (the "County"). *See* letters attached as part of Exhibit A. No response has been received.

3. LAND USE

Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent.

(i) Applicant served notice of the proposed abandonment upon the following agencies that may be concerned with land use issues: GaDOT, the County, Georgia Environmental Protection Division (headquarters in Atlanta, and Northeast District in

Athens) (“GaEPD”), Georgia Mountains Regional Commission (“GMRC”)²; U.S. Environmental Protection Agency, Region 4 (“EPA”), U.S. National Park Service (headquarters in Washington D.C., and Southeast Region in Atlanta) (the “Park Service”), U.S. Department of Agriculture, Natural Resources Conservation Service, Washington D.C. (“NCRS”), NCRS – State Office in Athens (“NCRS – State”), NCRS – Hartwell Center (“NCRS-Hartwell”), and U.S. National Geodetic Survey, NOAA, Geodetic Services Division (“NOAA”). Copies of these letters are attached as part of Exhibit A. Copies of written responses received to date are attached as part of Exhibit B, and summarized on the Response Log attached as Exhibit C. Responses were not received from all agencies that received notices. The following is a summary of the responses received to date:

- GMRC indicated in a letter that the project is consistent with state and regional policies, plans and criteria for developments of regional impact.
- NRCS-State indicated in a letter that no adverse impact on land use (including farmland), conservation, water quality or other general environmental concerns, is expected as a result of the proposed abandonment.
- NOAA indicated in an email that no geodetic survey marks were located in the area of the proposed abandonment.

(ii) The Subject Line is located in the middle of Hartwell, an urban area, and Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation letters were provided to, among other

² GMRC is sub-state district created by local governments. GMRC’s purpose is to locally promote and guide proper development of human, natural, physical, social and economic resources in the Georgia Mountains Region, including Hart County. GMRC works with 51 local governments (13 counties and 38 municipalities) to formulate goals and strategies for area growth and development.

agencies, NRCS, NRCS-State, and NRCS-Hartwell, copies of which are attached as part of Exhibit A. As noted above in paragraph 3(i), NRCS-State indicated that the proposed abandonment and discontinuance would have no impact on any prime agricultural land.

(iii) Applicant sent a consultation letter to the Georgia Coastal Resources Division, a copy of which is attached as part of Exhibit A. A copy of the written response confirming that the Subject Line is not in a coastal zone is attached as part of Exhibit B, and summarized on the Response Log attached as Exhibit C.

(iv) Applicant seeks to have the right of way of the Subject Line abandoned so that it can seek to quiet title to the portion that runs through its property. Applicant plans to develop additional Church facilities on its property. Such use would be inconsistent with a trail or other public purpose, and inconsistent with the retention of any rights to reactivate freight rail service.

4. **ENERGY**

The Subject Line has not been used for freight rail service for many years. Therefore, Applicant believes:

- (i) The proposed abandonment will have no effect on the transportation of energy resources.
- (ii) The proposed abandonment will have no effect of recyclable commodities.
- (iii) There will be no effect on overall energy efficiency.
- (iv) The proposed abandonment will not divert any traffic from rail to motor carriage.

Thus, the effects of the proposed abandonment should not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

If the proposed abandonment were granted, there would be no increase in rail traffic or rail yard activity. Thus, the effects of the proposed abandonment would not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(v).

6. **NOISE**

Since there would be no increase in rail activity as a result of the proposed abandonment, Applicant does not believe that the proposed abandonment would result in any increase in noise levels.

7. **SAFETY**

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety. Additionally, since the proposed abandonment would result in the permanent closing of several (albeit currently unused) at-grade crossings, public safety should be enhanced by the proposed action.

8. **BIOLOGICAL RESOURCES**

(i) Applicant has consulted with the U.S. Fish and Wildlife Service (Region 4), as well as to the following agencies that may be concerned with biological resources: GaEDP, EPA, Park Service, NCRS, NRCS-State, NRCS-Hartwell, Georgia Wildlife Resources Decision, and the U.S. Army Corps of Engineers. Copies of these consultation letters are attached as part of Exhibit A. The following is a summary of the only responses (written or oral) received to-date that are responsive to this issue:

- In a letter, the U.S. Fish and Wildlife Service responded that the abandonment was not anticipated to have any significant adverse impact to fish and wildlife resources.

- The Georgia Wildlife Resources Division also responded by letter that the proposed abandonment and discontinuance is not likely to negatively impact high priority species or habitats.

A copy of the responses are included as part of Exhibit B, and summarized on the Response Log attached as Exhibit C.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the Subject Line. Notices of the proposed abandonment were sent to the following agencies: GaEDP, EPA, U.S. Fish and Wildlife Service, Park Service, NRCS, NRCS-State, and NCRS-Hartwell. Copies of these letters are attached as part of Exhibit A. Copies of the written responses received are attached as part of Exhibit B, and are summarized on the Response Log attached as Exhibit C. See Sections 3(i) and 8(i) above for summaries of the responses that have been received. The responses do not include comments directly on this issue.

9. **WATER**

(i) The proposed abandonment and discontinuance does not involve any increase in railroad operations. Any salvage operations that are ultimately done would be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. See Sections 3(i) and 8(i) above for a list of all agencies consulted by Applicant, and the responses received. As noted, the U.S. Fish and Wildlife Service and Georgia Wildlife Resources Division do not expect that the abandonment will have a significant adverse impact on wetlands, and NCRS-State indicates that no watershed dams will be affected.

(ii) Applicant consulted about the proposed abandonment with the U.S. Army Corps of Engineers. A copy of the consultation letter is attached as part of Exhibit A. No response has been received.

(iii) Consultation letters regarding the proposed abandonment were also sent to GaDEP and EPA. Copies of these letters are attached as part of Exhibit A. No responses have been received. Applicant does not believe that any Clean Water Act permits will be required as any salvage after abandonment would be minimal and not located near any waterways.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of the letters attached as Exhibit A, Applicant has consulted with the following agencies: GaDOT, EPA, GaEPD, Park Service, Hart County, U.S. Fish and Wildlife Service, Georgia Wildlife Resources Division, GMRC, U.S. Army Corps of Engineers, NRCS, NRCS-State, NRCS-Hartwell, NOAA and Georgia Coastal Resources Division. Written responses are attached as Exhibit B, and all responses are summarized on the Response Log attached as Exhibit C.

13. CERTIFICATIONS

Applicant certifies that:

(i) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph No. 12 above.

(ii) On this date, it sent copies of this Report to each of the agencies consulted, and to other parties to the proceeding, as shown on the certificate of service attached hereto.

(iii) Notice of the Applicant's intent to file an application for adverse abandonment is being published in the *The Hartwell Sun* on November 10, 17, and 24, 2016. A copy of the notice of intent is attached as Exhibit D. Proofs of publication from the *The Hartwell Sun* will be submitted upon receipt after the final publication.

(iv) Applicant will not file its application for adverse abandonment authority until at least twenty (20) days after this Environmental/Historic Report has been filed with the Board.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S. TOPOGRAPHIC MAP

A U.S.G.S. topographic map showing the general location of the proposed abandonment is attached as Exhibit E, as well as a blown up section of the U.S.G.S. map that more clearly shows the Subject Line. Other than the tracks themselves (which may or may not constitute a "structure" for these purposes), Applicant does not believe that there are any structures over 50 years old or older that are proposed for abandonment, except perhaps a culvert that runs below the Subject Line. With respect to the tracks, Applicant does not have information with respect to any replacements or rehabilitation projects that may have occurred on the Subject Line within the past 50 years.

2. DESCRIPTION OF RIGHT OF WAY

The Subject Line is approximately 0.25 miles long and runs between Athens Street and the end of line at South Forest Avenue, in Hartwell, Hart County Georgia, and United States ZIP Code 08066. The right of way runs through an urban area. Representative photographs showing the right of way and the culvert are attached as Exhibit F.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

Representative photographs showing the culvert and the right of way and tracks are attached as Exhibit F.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

Applicant is not in possession of any documentation with respect to any structures. Applicant believes that the rail line was originally constructed in the 1870's (see the discussion in Section 5 below); however, Applicant does not have information with respect to any replacements or rehabilitation projects that may have occurred on the Subject Line, particularly within the past 50 years.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

The Subject Line is the stub end of the line of railroad between M.P. 0.0 at Bowersville, Georgia, and M.P. 10.5 at Hartwell, Georgia. Applicant believes that the line was built by Hartwell Railway, the predecessor of HRT, in the 1870's. Applicant further believes that, in 1990, Bennie Ray Anderson acquired control of Hartwell Railway, and granted GRWR local trackage rights to provide service over the Bowersville-Hartwell line. *Great Walton Railroad Co., d/b/a Hartwell Railroad Co. – Trackage Rights Exemption – Hartwell Railway Co.*, ICC Finance Docket No. 31626, 53 FR 12958 (April 6, 1990). According to HRT's website

(www.greatwaltonrailroad.com/hartwell.html), Hartwell Railway changed its name to Hartwell Railroad in 1995.

There is a station depot building located adjacent to the end of the right of way of the Subject Line (the building is not part of the abandonment), and Applicant believes that at one time the Subject Line was used for freight and passenger service. However, Applicant (as an adjacent landowner) does not believe that any service has been provided over the Subject Line since before Mr. Anderson acquired the railroad in 1990.

6. SUMMARY OF STRUCTURE DOCUMENTATION

Not applicable. Since this is an adverse abandonment, Applicant does not have any documentation related to the Subject Line. Any documentation that is available would be in the possession of HRT.

7. OPINION REGARDING CRITERIA FOR LISTING

Although Applicant did not believe that there are any structures over 50 years old affected by the proposed abandonment, Applicant consulted about the proposed abandonment with the Georgia Department of Natural Resources, Historic Preservation Division (“SHPO”), a copy of which is attached as part of Exhibit A. In a response included as a part of Exhibit B, the SHPO indicated that the removal / salvage of the Subject Line could have an adverse effect on historic properties located within the project’s area of potential effect. Applicant does not agree with the SHPO’s assessment. The SHPO’s communication acknowledges that the Board should notify the SHPO and the Advisory Council on Historic Preservation, and consult on ways to

avoid or reduce any adverse effects to historic properties. Applicant is willing to work with the Board in this consultation process, as the Section 106 process continues.³

8. **ENVIRONMENTAL CONDITIONS**

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain.

Respectfully submitted,



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Attorneys for
Hartwell First United Methodist Church

Dated: November 15, 2016

³ Applicant attempted to meet with the SHPO to explain why there would be no adverse effects; however, the SHPO indicated that the discussion should be through the Board after a determination has been made regarding the proposed abandonment.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of November, 2016, I served a copy of the foregoing Environmental/Historic Report on the persons listed below by the method indicated.

By email:

Richard H. Streeter
Law Office of Richard H. Streeter
5255 Partridge Lane, N.W.
Washington, DC 20016
rhstreeter@gmail.com

By U.S. first class mail, postage prepaid:

Georgia Mountains Regional Commission
1310 West Ridge Road
P.O. Box 1720
Gainesville, GA 30503

National Park Service
Stan Austin, Regional Director
National Park Service
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Atlanta GA 30334

National Park Service
1849 C Street, NW
Washington, DC 20240

Georgia Environmental Protection Division
Northeast District
745 Gaines School Road
Athens, GA 30605

USDA, NRCS, Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

Terrell Partain, Acting Hart County
Administrator
800 Chandler Street
Hartwell, GA 31520

USDA, NRCS
355 E. Hancock Ave.
Mail Stop 200
Athens, GA 30601

David Aldrich, City Manager
City of Hartwell
500 W. Howell Street
Hartwell, GA 30643

NRCS
Hartwell Service Center
88 Maret Street
Hartwell, GA 30643-1172

Environmental Protection Agency
EPA Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

U.S. Fish and Wildlife Service
Southeast Region 4
Office of the Regional Director
1875 Century Blvd., Suite 400
Atlanta, GA 30345-3319

Georgia Wildlife Resources Division
Headquarters Office
2070 U.S. Highway 278, SE
Social Circle, GA 30025

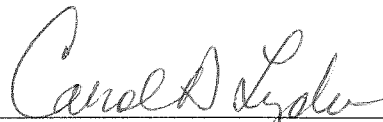
U.S. Army Corps of Engineers
Savannah District
100 W. Oglethorpe Ave.
Savannah, GA 31401

Communications and Outreach Branch
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282

Georgia Department of Transportation
Administration Division/General Counsel
One Georgia Center
600 W. Peachtree, NW
23rd Floor
Atlanta, GA 30308
Attn: Matthew Cline

Georgia Department of Transportation
District One
Brent Cook, District Engineer
2505 Athens Highway, SE
Gainesville, GA 30507

By:



Carol Lydon, Paralegal

EXHIBIT A

CLARK HILL

Carol D. Lydon
T 215.640.8537
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Email: clydon@clarkhill.com

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June 14, 2016

ALL AGENCIES PER THE ATTACHED SERVICE LIST

Re: Hartwell First United Methodist Church - Adverse Abandonment and
Discontinuance - Hartwell Railroad Company and The Great Walton Railroad
Company, Inc. in Hart County, GA

Surface Transportation Board Docket No. AB 1242

To Whom it May Concern:

This letter is to advise you that Hartwell First United Methodist Church ("Hartwell First") proposes to file an adverse or third-party abandonment application seeking "adverse" authority for Hartwell Railroad Company ("HRT") to abandon, and The Great Walton Railroad Company, Inc. ("GRWR") to discontinue service over, the approximately 0.25 miles of railroad tracks and associated right of way (the "Subject Line") currently owned by HRT over which GRWR has trackage rights, between Athens Street (unknown milepost) and the end of the line at South Forest Avenue (milepost 10.5), in Hartwell, Hart County, Georgia. The Subject Line traverses through United States Postal Service ZIP Code 30643. A map of the Subject Line is attached as Exhibit A.

Hartwell First plans to file the application in STB Docket No. AB-1242 with the Surface Transportation Board ("STB") pursuant to 49 CFR Part 1152.

There are no known stations associated with the Subject Line. The reason for the proposed adverse abandonment is that the Subject Line has not been used to provide rail service for over 20 years, there are no prospects for future service, and Hartwell First wants quiet title to the portion of the right of way that bisects its property. Hartwell First is seeking adverse abandonment authority so that the STB's jurisdiction will be removed, and Hartwell First can proceed with its quiet title action under Georgia state law. Hartwell First wishes to develop its

ALL AGENCIES PER THE ATTACHED SERVICE LIST

June 14, 2016

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adjacent properties for additional facilities and as such, will seek to have the track removed. Hartwell First does not believe that there are any reasonable alternatives to the proposed action. Hartwell First believes that the abandonment will not have a significant effect upon the environment.

Based upon information in our possession, the Subject Line does not contain federally granted rights of way. Any documentation in Hartwell First's possession will be made available promptly to those requesting it.

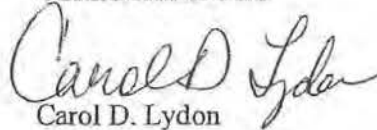
In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by July 14, 2016 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (215) 640-8537.

Thank you for your cooperation.

Very truly yours,

CLARK HILL PLC


Carol D. Lydon

CDL

Enclosures

cc: Eric M. Hocky, Esquire
Hartwell United Methodist Church

SERVICE LIST

Georgia Mountains Regional Commission
1310 West Ridge Road
P.O. Box 1720
Gainesville, GA 30503

National Park Service
Stan Austin, Regional Director
National Park Service
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Atlanta GA 30334

National Park Service
1849 C Street, NW
Washington, DC 20240

Georgia Environmental Protection Division
Northeast District
745 Gaines School Road
Athens, GA 30605

USDA, NRCS, Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

Terrell Partain, Acting Hart County
Administrator
800 Chandler Street
Hartwell, GA 31520

USDA, NRCS
355 E. Hancock Ave.
Mail Stop 200
Athens, GA 30601

David Aldrich, City Manager
City of Hartwell
500 W. Howell Street
Hartwell, GA 30643

NRCS
Hartwell Service Center
88 Maret Street
Hartwell, GA 30643-1172

Environmental Protection Agency
EPA Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Communications and Outreach Branch
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282

U.S. Fish and Wildlife Service
Southeast Region 4
Office of the Regional Director
1875 Century Blvd., Suite 400
Atlanta, GA 30345-3319

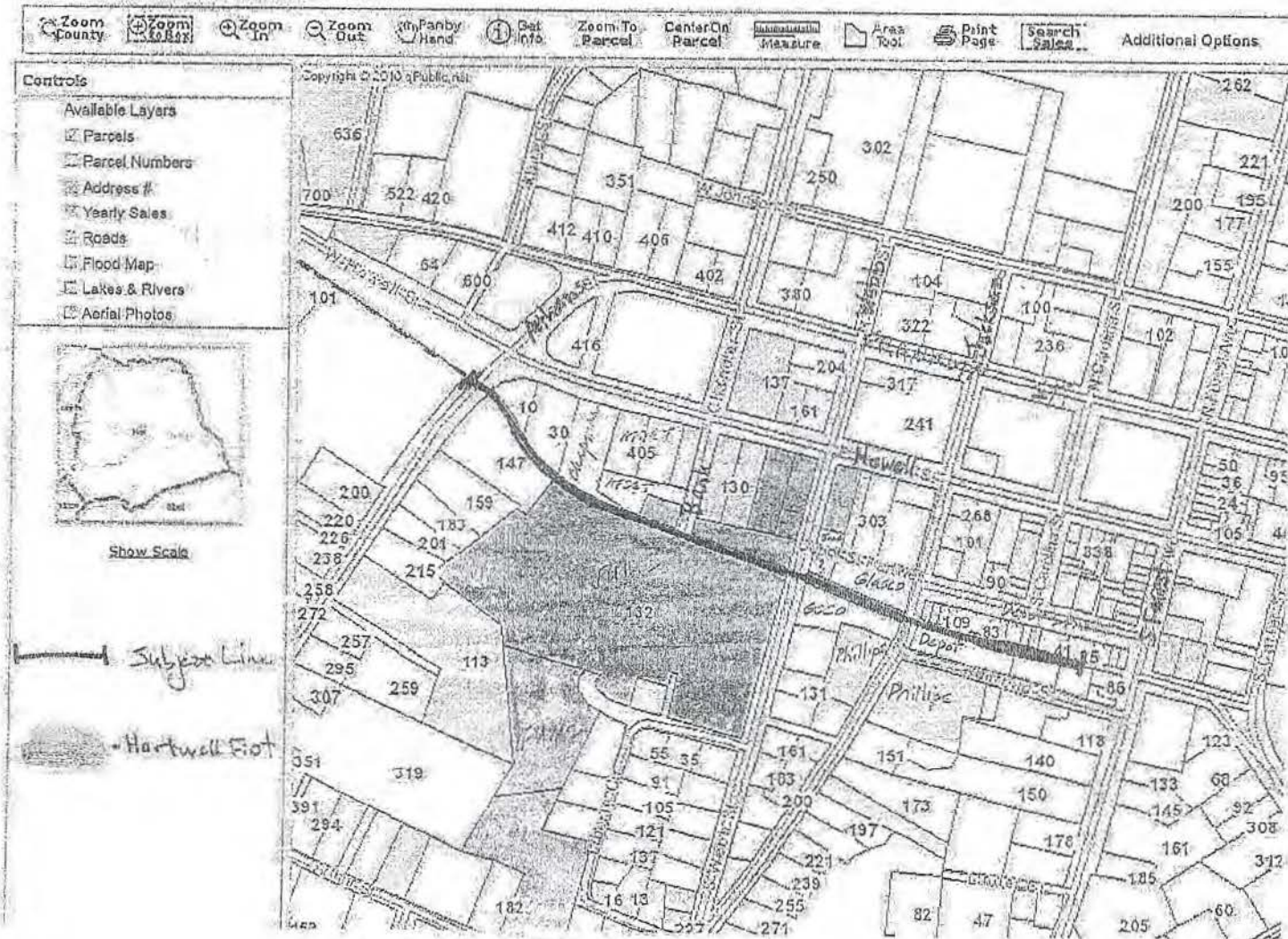
Georgia Department of Transportation
Administration Division/General Counsel
One Georgia Center
600 W. Peachtree, NW
23rd Floor
Atlanta, GA 30308
Attn: Matthew Cline

Georgia Wildlife Resources Division
Headquarters Office
2070 U.S. Highway 278, SE
Social Circle, GA 30025

Georgia Department of Transportation
District One
Brent Cook, District Engineer
2505 Athens Highway, SE
Gainesville, GA 30507

U.S. Army Corps of Engineers
Savannah District
100 W. Oglethorpe Ave.
Savannah, GA 31401

EXHIBIT A





Great Walton Line

The Athens Line

Hartwell Line

Gallery

Map Overview

Inventory

Economic Development

Contact Us

Map Overview

To zoom in on our railroad territories use your mouse to scroll over Social Circle, Athens and Hartwell areas of the map.



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June 14, 2016

Georgia Coastal Resources Division
1 Conservation Way
Brunswick, GA 31520

Re: Hartwell First United Methodist Church - Adverse Abandonment and
Discontinuance - Hartwell Railroad Company and The Great Walton Railroad
Company, Inc. in Hart County, GA

Before the Surface Transportation Board, STB Docket No. AB 1242

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There are no known stations associated with the Subject Line. The reason for the proposed adverse abandonment is that the Subject Line has not been used to provide rail service for over 20 years, there are no prospects for future service, and Hartwell First quiet title to the portion of the right of way that bisects its property. Hartwell First is seeking adverse abandonment authority so that the STB's jurisdiction will be removed, and Hartwell First can proceed with its

Georgia Coastal Resources Division
June 14, 2016
Page 2

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Based upon information in our possession, the Subject Line does not contain federally granted rights of way. Any documentation in Hartwell First's possession will be made available promptly to those requesting it.

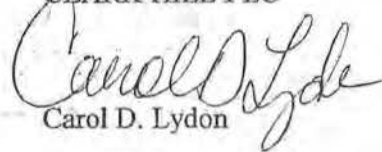
In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

Please advise us whether the Subject Line is within Georgia's coastal zone. If a segment is within the coastal zone, please advise further (1) if the proposed abandonment is an action listed for review in Georgia's coastal zone management plan, and (2) if the action is so listed, whether the proposed action is consistent with the coastal zone management plan. We would appreciate a response from you by July 14, 2016. If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (215) 640-8537.

Thank you for your cooperation.

Very truly yours,

CLARK HILL PLC

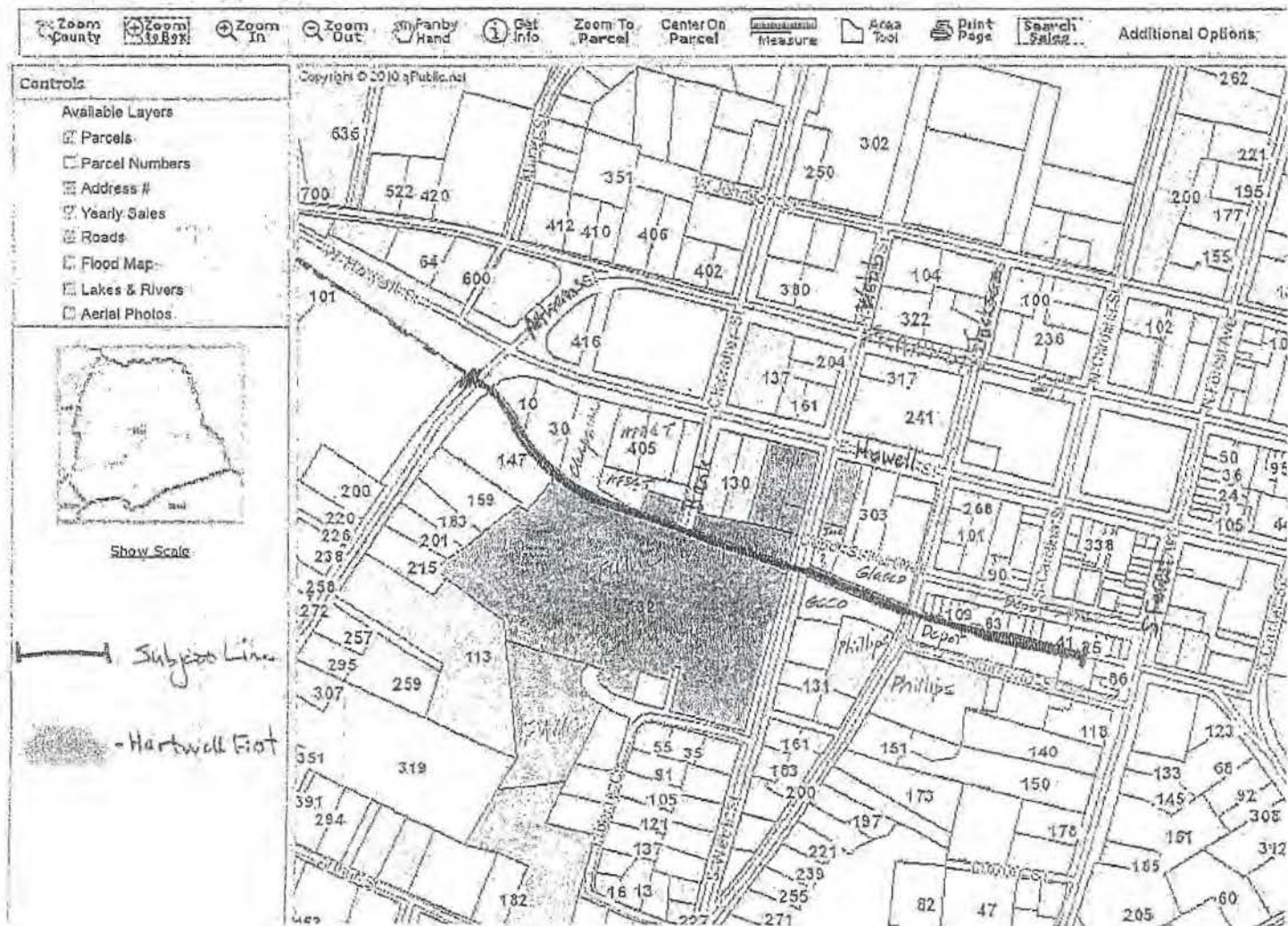

Carol D. Lydon

CDL

Enclosures

cc: Eric M. Hocky, Esquire
Hartwell United Methodist Church

EXHIBIT A





Great Walton Line

The Athens Line

Hartwell Line

Gallery

Map Overview

Inventory

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Contact Us

Map Overview

To zoom in on our railroad territories use your mouse to scroll over Social Circle, Athens and Hartwell areas of the map.



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June 14, 2016

DNR Historic Preservation Division
Jewett Center for Historic Preservation
2610 GA Highway 155, SW
Stockbridge, GA 30281

Re: Hartwell First United Methodist Church - Adverse Abandonment and
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Company, Inc. in Hart County, GA

Surface Transportation Board, Docket No. AB 1242

To Whom it May Concern:

This letter is to advise you that Hartwell First United Methodist Church ("Hartwell First") proposes to file an adverse or third-party abandonment application seeking "adverse" authority for Hartwell Railroad Company ("HRT") to abandon, and The Great Walton Railroad Company, Inc. ("GRWR") to discontinue service over, the approximately 0.25 miles of railroad tracks and associated right of way (the "Subject Line") currently owned by HRT over which GRWR has trackage rights, between Athens Street (unknown milepost) and the end of the line at South Forest Avenue (milepost 10.5), in Hartwell, Hart County, Georgia. The Subject Line traverses through United States Postal Service ZIP Code 30643. A map of the Subject Line is attached as Exhibit A.

Hartwell First plans to file the application in STB Docket No. AB-1242 with the Surface Transportation Board ("STB") pursuant to 49 CFR Part 1152.

There are no known stations associated with the Subject Line. The reason for the proposed adverse abandonment is that the Subject Line has not been used to provide rail service for over 20 years, there are no prospects for future service, and Hartwell First wants quiet title to the portion of the right of way that bisects its property. Hartwell First is seeking adverse

DNR Historic Preservation Division
June 14, 2016
Page 2

abandonment authority so that the STB's jurisdiction will be removed, and Hartwell First can proceed with its quiet title action under Georgia state law. Hartwell First wishes to develop its adjacent properties for additional facilities and as such, will seek to have the track removed. Hartwell First does not believe that there are any reasonable alternatives to the proposed action. Hartwell First believes that the abandonment will not have a significant effect upon the environment or any historic structures.

Based upon information in our possession, the Subject Line does not contain federally granted rights of way. Any documentation in Hartwell First's possession will be made available promptly to those requesting it.

In advance of preparing an historic report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental or historic effects of the proposed abandonment.

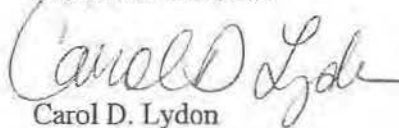
Based upon a review of publicly available information, Hartwell First believes that the Subject Line was originally constructed in the 1870's. Based on its observations, Hartwell First believes that there are not any structures (buildings, bridges, etc.) 50 years old or older that are part of the Subject Line, except perhaps one culvert. Representative photographs showing the general condition of the Subject Line, including the culvert, are enclosed with this letter. (See Exhibit B).

We would appreciate an expression from you by July 14, 2016 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon historical preservation (or expressing any concerns that you have). If you have any questions about the proposed abandonment or if you need assistance in this matter, please call me at (215) 640-8537.

Thank you for your cooperation.

Very truly yours,

CLARK HILL PLC

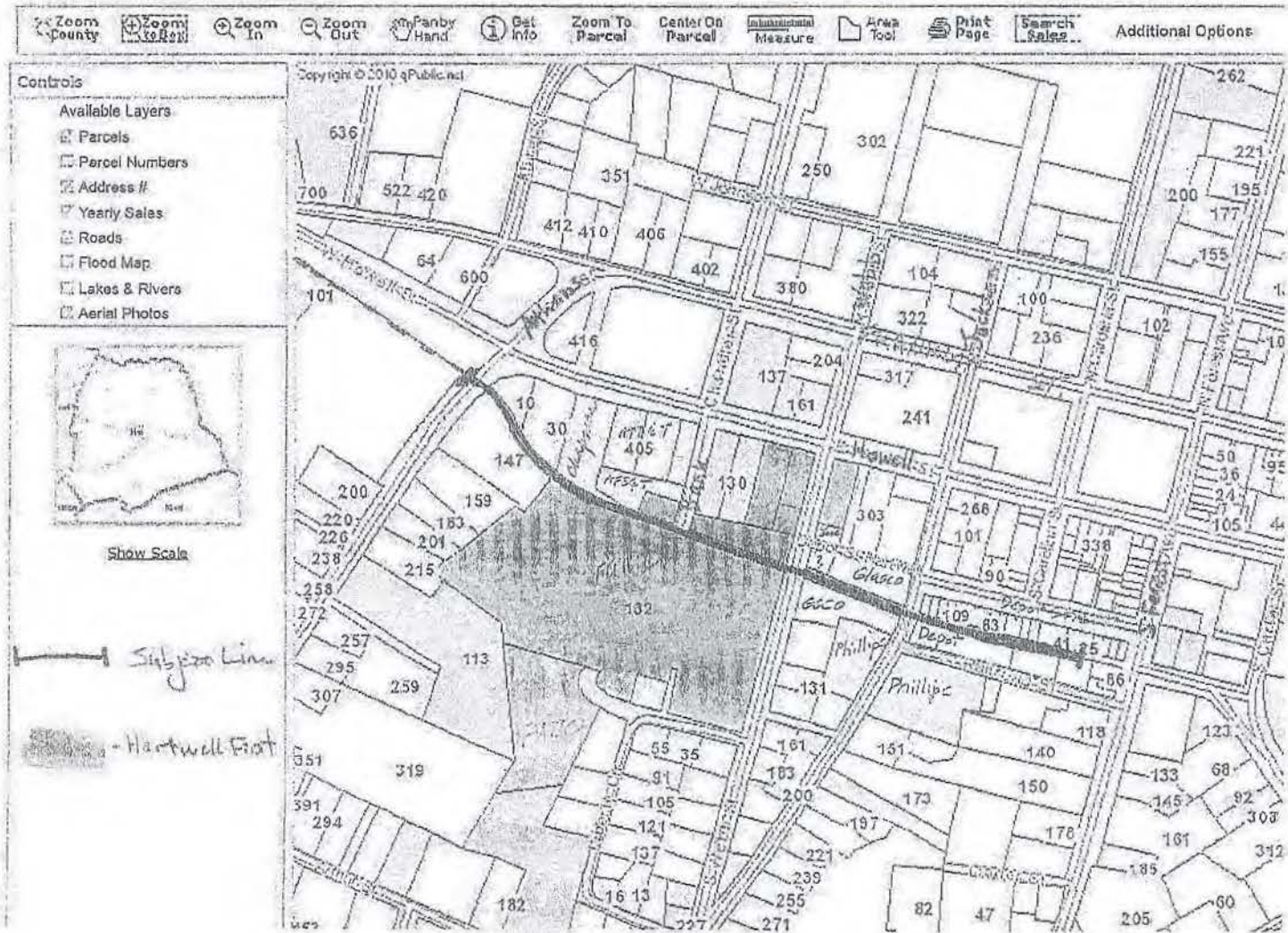

Carol D. Lydon

CDL

Enclosures

cc: Eric M. Hocky, Esquire
Hartwell United Methodist Church

EXHIBIT A



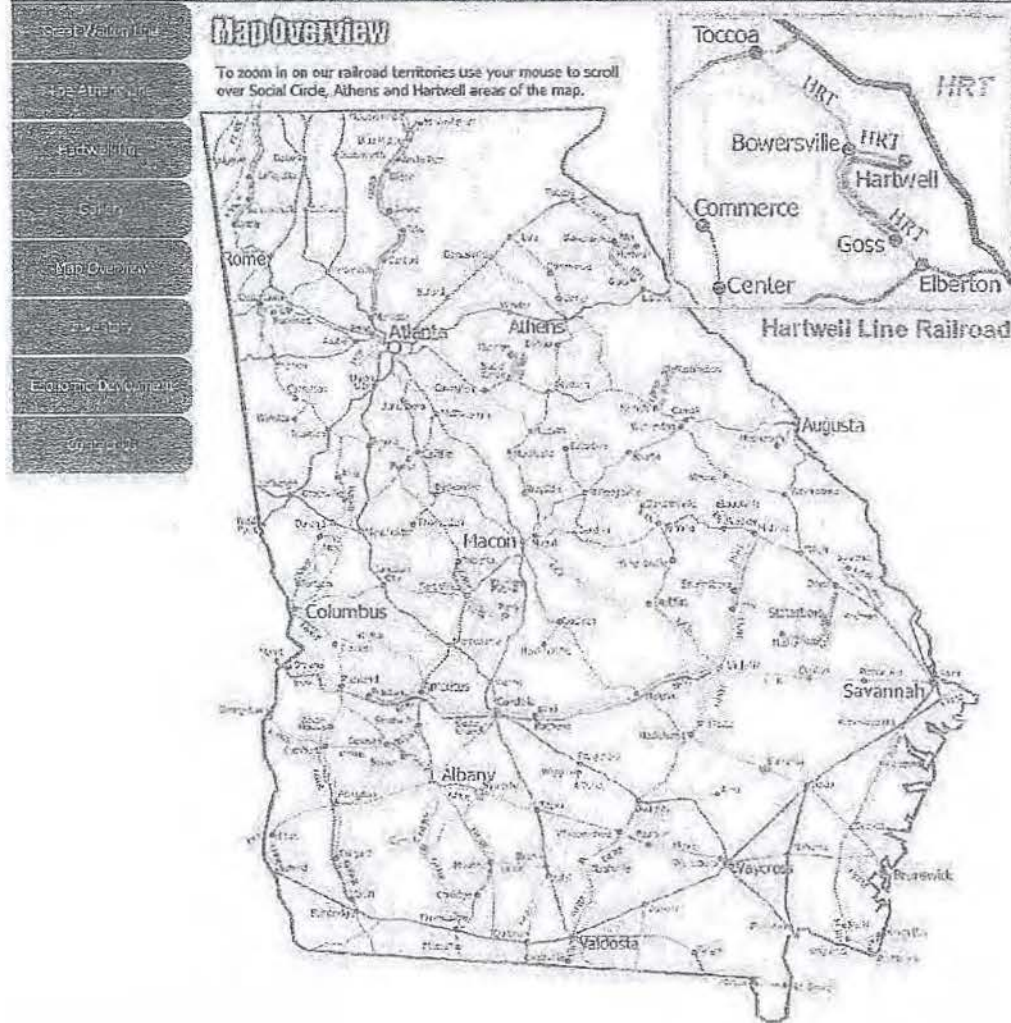
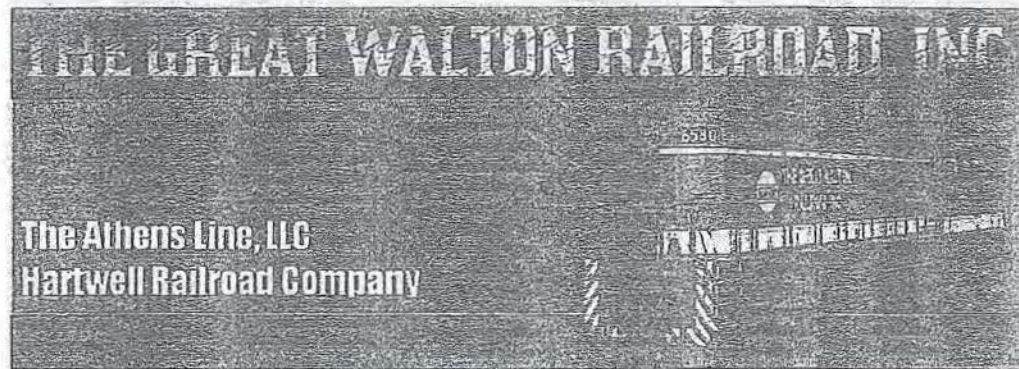


EXHIBIT B



PHOTO 2 - Athens St. crossing looking east

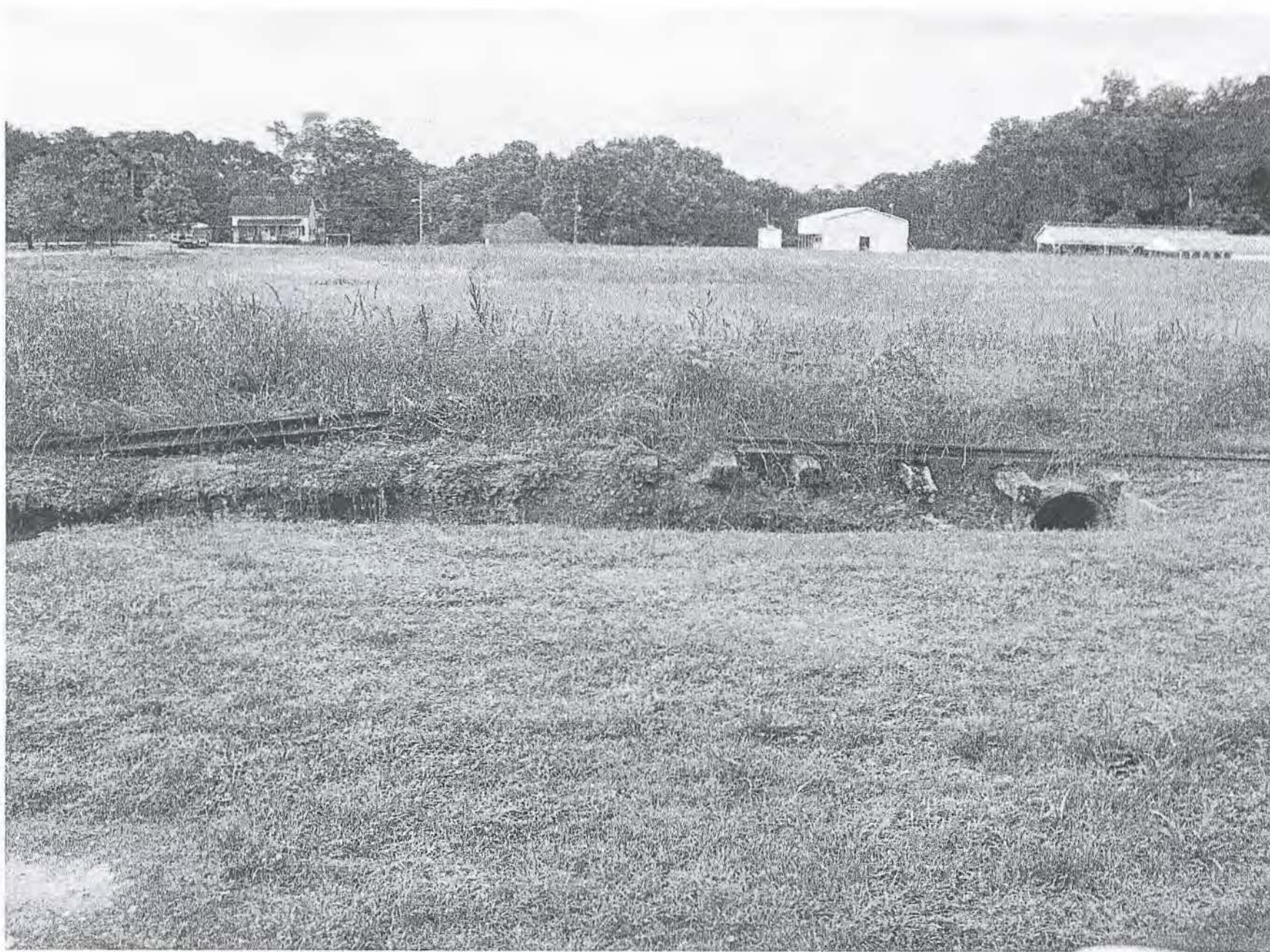


PHOTO 11 - Spur track condition. Culvert goes under spur and adjacent Subject Line, as shown in photo 14.



PHOTO 14 - Looking west across Bank. Ave.

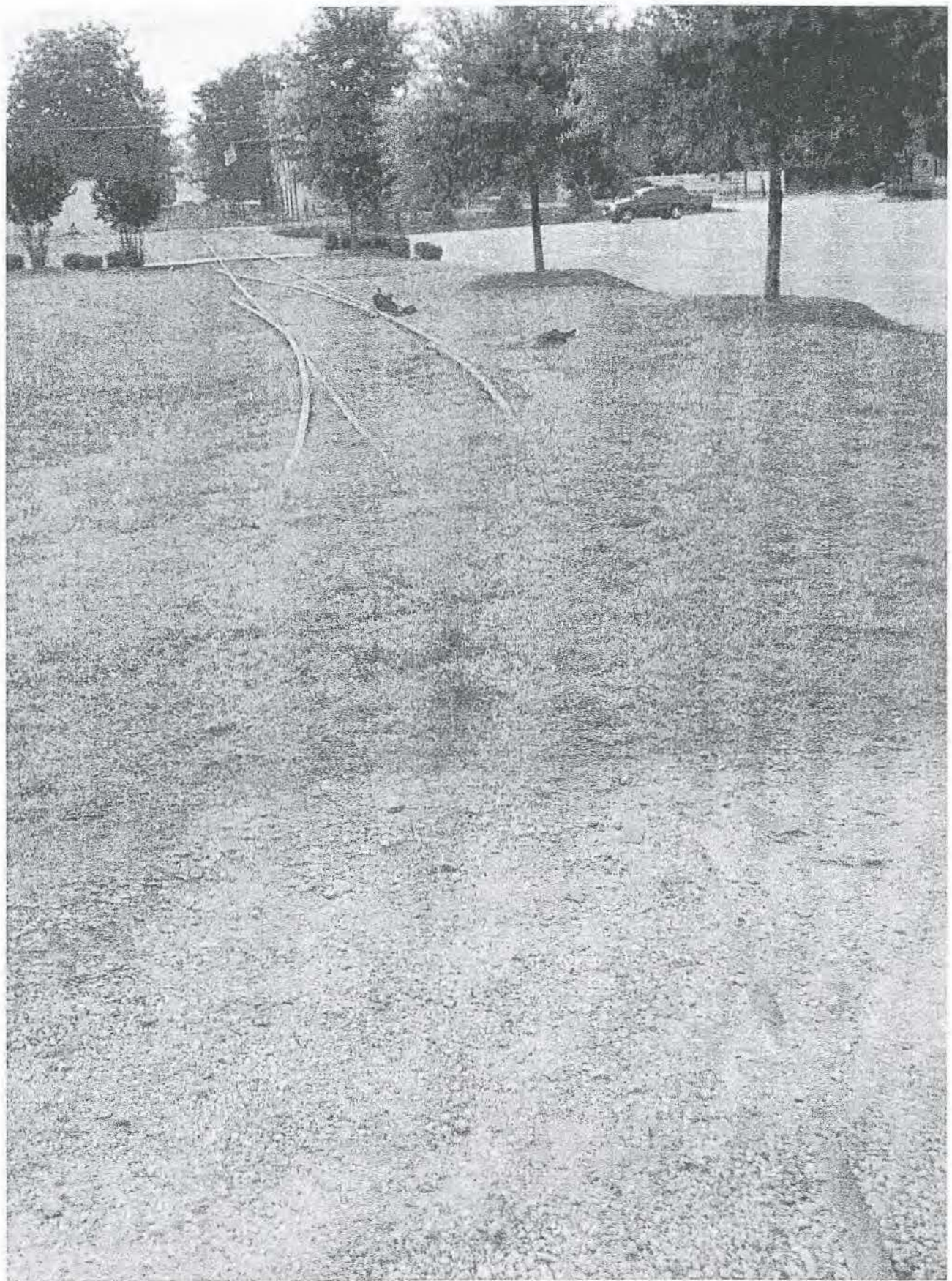


PHOTO 15 - Looking east against Bank Ave.

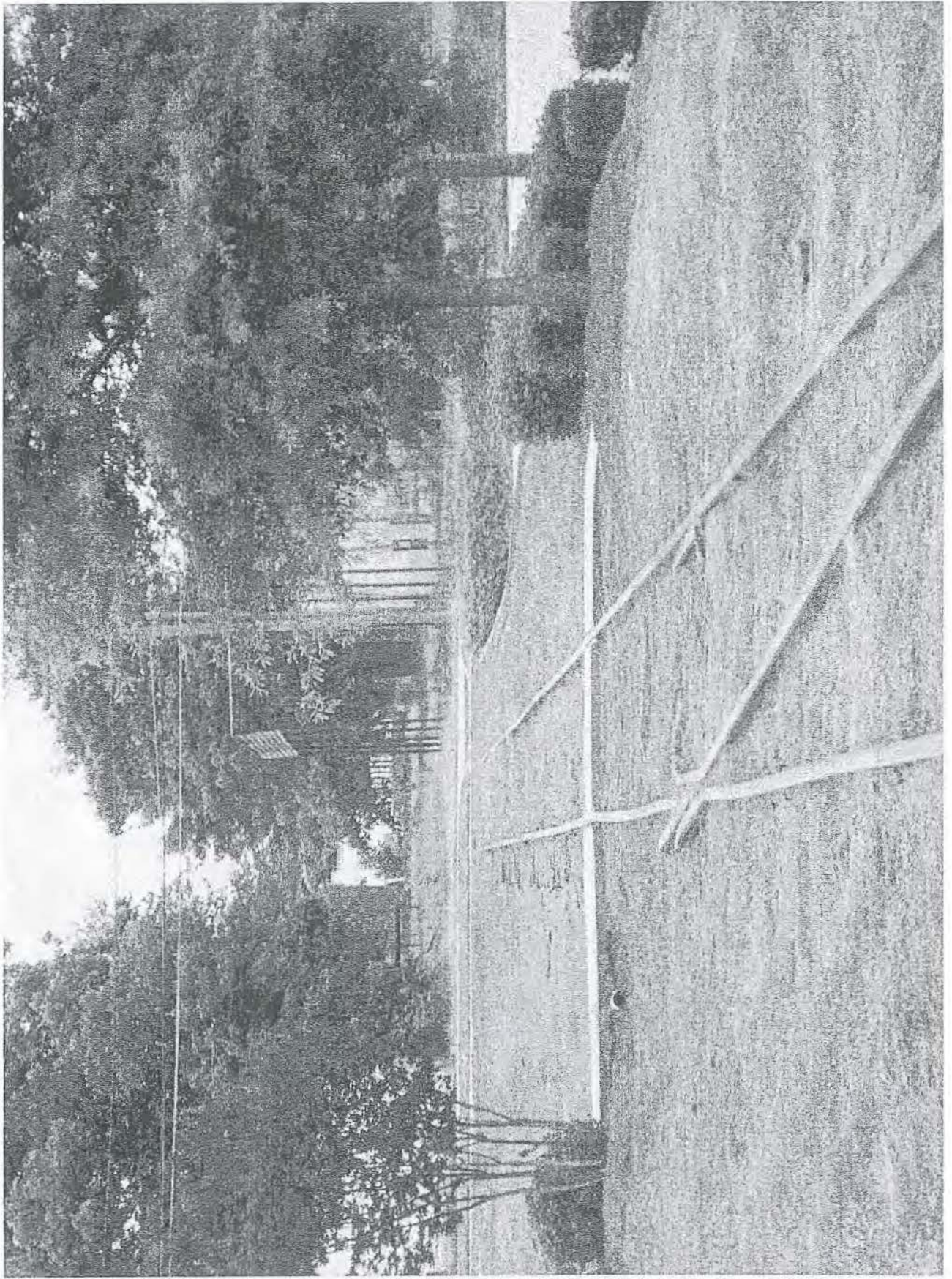


PHOTO 16 - Looking east between Bank Ave. and Webb St.

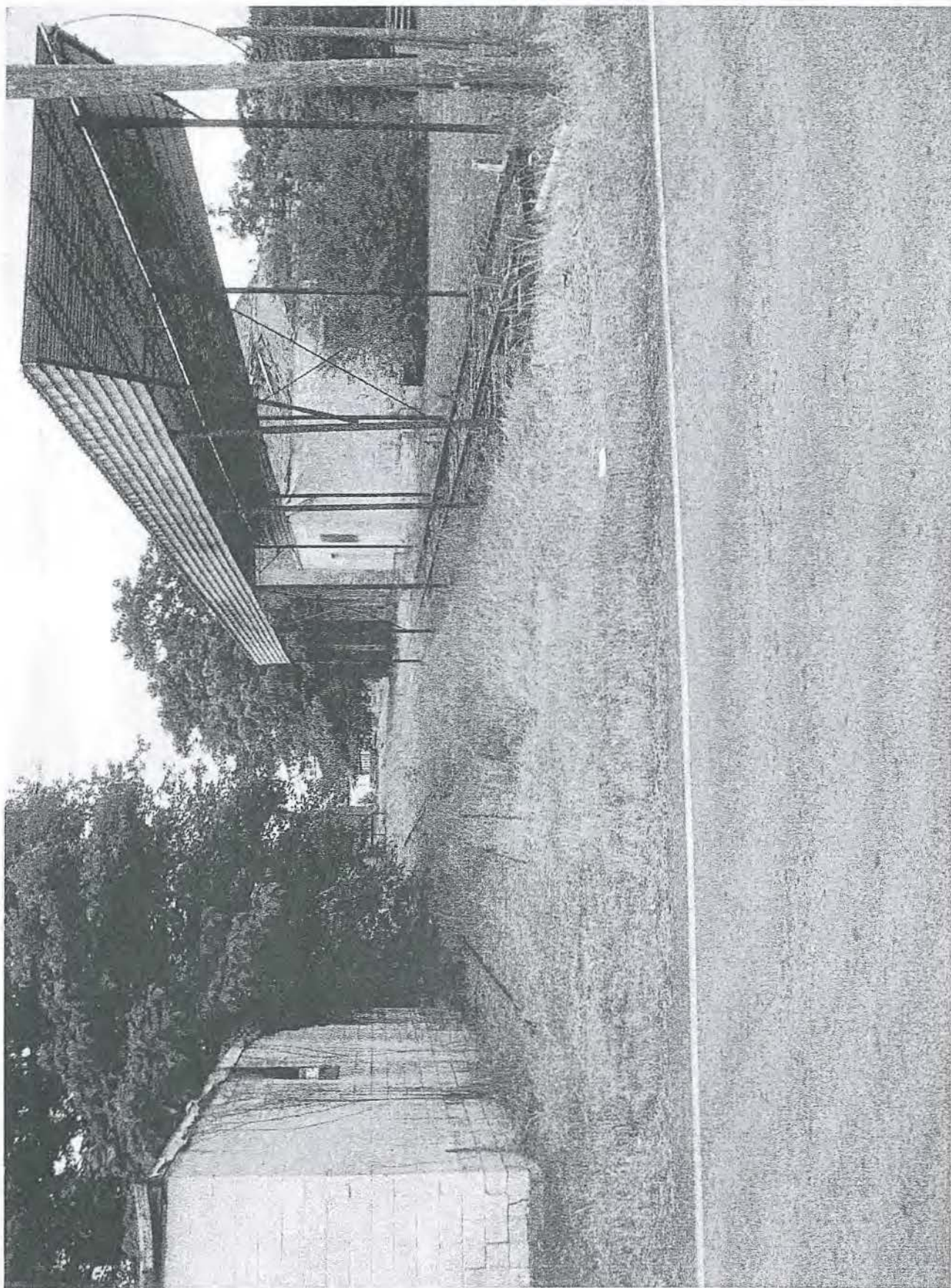


PHOTO 21 - Looking east across Webb St.

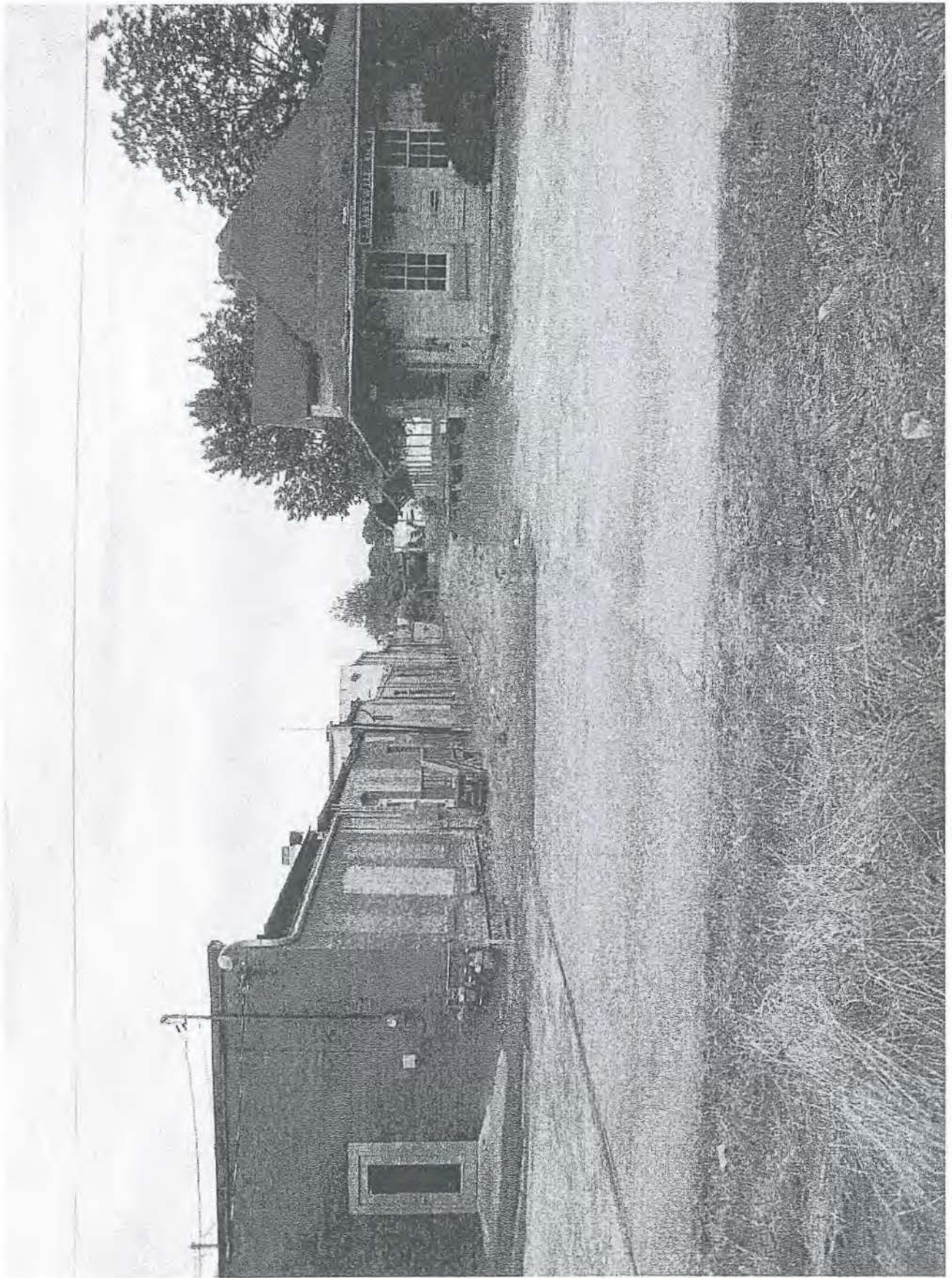


PHOTO 26 - Looking east at Jackson St.

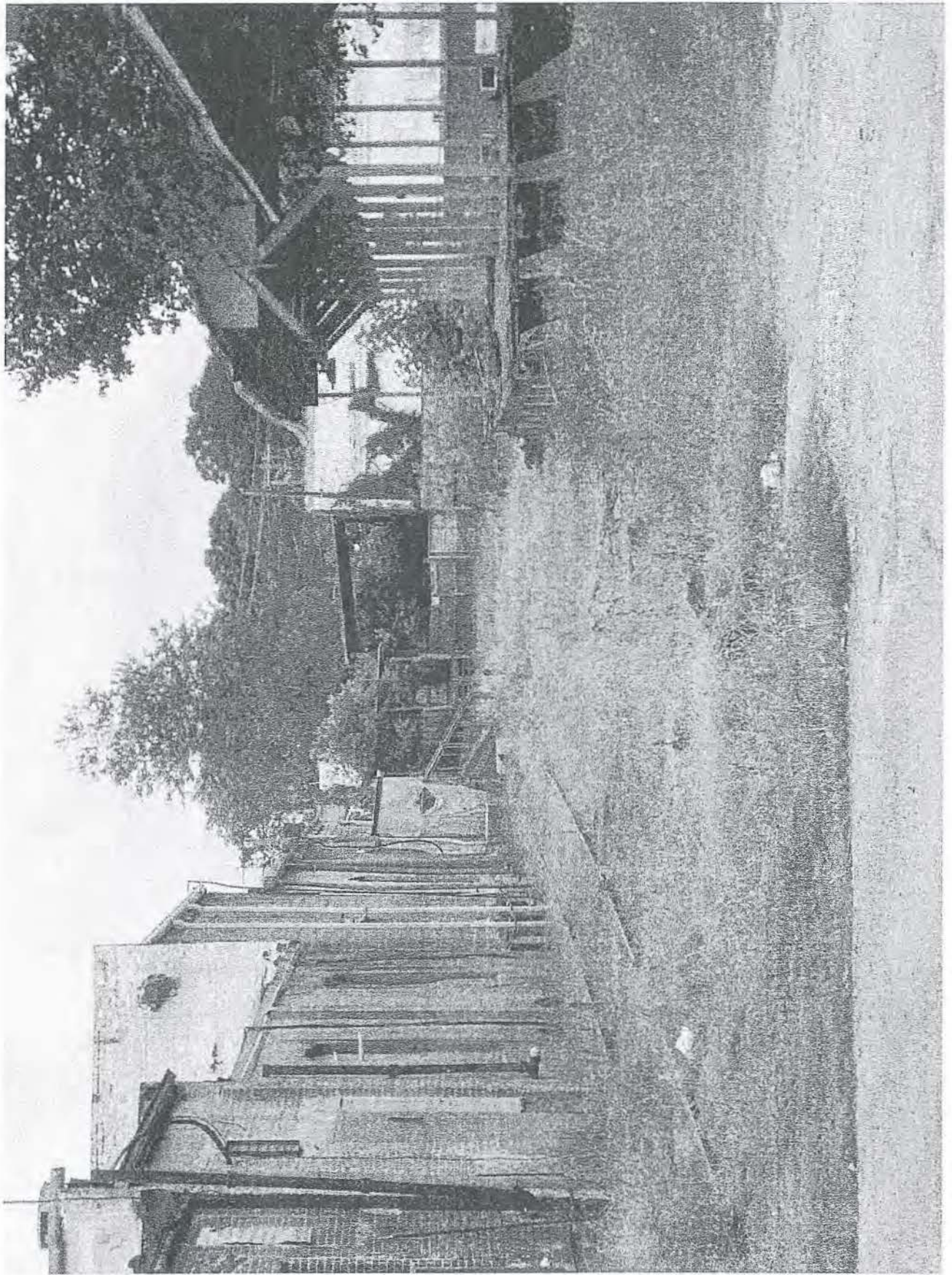


PHOTO 27 - Main line next to depot

EXHIBIT B

Lydon, Carol

From: HPD-106reply <HPD-106reply@dnr.ga.gov>
Sent: Thursday, July 07, 2016 10:03 AM
To: Lydon, Carol
Cc: Joe Rothwell
Subject: Rail Abandonment/Removal, Athens to S Forest Ave, Hartwell, Hart Co, HP 160617-007
Attachments: Hart HP 160617-007 Jul 7 2016.pdf

From: Historic Preservation Division

Attached is our letter on the subject undertaking (in Adobe Acrobat PDF format)

Do not respond to this e-mail.

If you have any questions concerning our letter, please contact:
Jennifer Dixon at jennifer.dixon@dnr.ga.gov

A free copy of Adobe Acrobat Reader can be downloaded from: www.adobe.com



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

July 7, 2016

Carol D. Lydon
Clark Hill PLC
One Commerce Square
2005 Market Street, Suite 1000
Philadelphia, Pennsylvania 19103

RE: Rail Abandonment, Athens to South Forest Avenue, Hartwell
Hart County, Georgia
HP-160617-007

Dear Ms. Lydon:

The Historic Preservation Division (HPD) has reviewed the information submitted concerning the above referenced project. Our comments are offered to assist the Surface Transportation Board (STB) and its applicants in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

The subject project consists of the rail abandonment and removal of rail components for an approximate .25 section of the Hartwell Railway, from Athens Street to South Forest Avenue, in Hartwell. Based on the information provided, HPD finds that the Hartwell Railway/Southern Railway is eligible for listing in the National Register of Historic Places (NRHP) at a state level of significance under criteria A and C for its contributions to the transportation and engineering history of the State of Georgia. Additionally, HPD finds that the project runs through the NRHP-listed Hartwell Commercial Historic District, of which the Hartwell Railway is a contributing feature. HPD also finds numerous NRHP-listed properties to be within the proposed project's area of potential effect (APE), including, but not limited to, the Hartwell Methodist Episcopal Church, Roscoe Conklin Linder House, and Adams-Matheson House. Further, HPD finds there to be numerous other historic resources within the proposed project's APE, some of which may be eligible for listing in the NRHP. Therefore, HPD finds that the proposed project constitutes an adverse effect to historic properties located within the subject project's APE, as defined in 36 CFR Part 800.5(a)(2).

When an adverse effect to a historic property is found, the federal agency must notify the Advisory Council on Historic Preservation and consult with the State Historic Preservation Officer on ways to avoid or reduce adverse effects to historic properties. HPD would like to make it clear that this determination of an adverse effect is not the end of the consultation process. HPD should be given the opportunity to review and comment on alternate approaches, as they become available, prior to proceeding with the work, as part of a selection process to choose an appropriate plan that will conform to a more favorable effects assessment. We would like to work with STB and its applicants in finding ways to avoid, minimize or mitigate this adverse effect. We look forward to discussing these options with you and working with you as this project progresses.

Please refer to project number **HP-160617-007** in any future correspondence regarding this project. If we may be of further assistance, please do not hesitate to contact Jennifer Dixon, Environmental Review Program Manager, at jennifer.dixon@dnr.ga.gov or (770) 389-7851.

V/r,

Dr. David Crass
Division Director
Deputy State Historic Preservation Officer

DCC/jad

Cc: Joe Rothwell, Georgia Mountains Regional Commission

JEWETT CENTER FOR HISTORIC PRESERVATION
2610 GA HWY 155, SW | STOCKBRIDGE, GA 30281
770.389.7844 | FAX 770.389.7878 | WWW.GEORGIAHPO.ORG

CLARK HILL

Eric M. Hocky
T 215.640.8523
F 215.640.8501
Email: ehocky@clarkhill.com

Clark Hill PLC
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103
T 215.640.8500
F 215.640.8501
clarkhill.com

August 18, 2016

VIA E-MAIL

Jennifer Dixon
Environmental Review Program Manager
Georgia Department of Natural Resources,
Historic Preservation Division
Jewett Center for Historic Preservation
2610 Georgia Highway 155, SW
Stockbridge, GA 30281

Re: Rail Abandonment, Athens Street to South Forest Avenue
Hartwell, Hart County, Georgia
HP-160617-007

Dear Ms. Dixon:

We appreciate the response from the Historic Preservation Division (HPD) to our letter of inquiry regarding the above-referenced proposed abandonment, and the offer of HPD to work with the proposed applicant, Hartwell First United Methodist Church (the "Church") to avoid, minimize, and mitigate any potential adverse effects.

It appears that HPD's concerns are not so much with the potential adverse effects of the abandonment itself, but more with the potential adverse effects of any subsequent removal of the tracks adjacent to Church property, and the potential effects such removal on properties within the NRHP-listed Hartwell Commercial Historic District. The Church does not believe that the removal of the tracks adjacent to the Church property would adversely impact any historic structures in the Historic District, including the railroad's station building or turntable, both of which are outside of the property being abandoned.

To follow up on HPD's letter, Joe Whittemore, the Church's representative with respect to this project would like to meet with you to clear up any misconceptions about the project, and to discuss possible ways to ensure that there will be no or minimal adverse effects from the

Jennifer Dixon
August 18, 2016
Page 2

removal of the tracks adjacent to the Church's property. Mr. Whittemore, a resident of Hartwell, is willing to meet you at a mutually convenient time at your offices in Stockbridge, or if you think it would be more productive, at the site in Hartwell. If you are willing to meet with Mr. Whittemore, he can be contacted at wscpas@hartcom.net, at his office at 706-376-3168, or on his cell phone at 706-436-4106.

Thank you for your consideration of this request. We look forward to hearing from you.

Sincerely,

CLARK HILL PLC


Eric M. Hocky

EMH/e

cc: Joe Whittemore

Hocky, Eric M.

From: Dixon, Jennifer <Jennifer.Dixon@dnr.ga.gov>
Sent: Thursday, August 18, 2016 3:08 PM
To: Hocky, Eric M.
Cc: Joe Whitemore (wscpas@hartcom.net)
Subject: RE: HP-160617-007

Mr. Hocky and Mr. Whitemore,

Thank you for reaching out. I'm not sure a meeting would be prudent at this point, as we have not moved onto the next steps in the process yet, and the previous steps are already complete. To explain:

As per the Section 106 process, and the National Register of Historic Properties (NRHP), there are no protections afforded to a NRHP-eligible or listed property. An adverse effect determination in the Section 106 process simply means there are a few more steps to complete in order to finish the process, which is required by federal law for all projects that involve a federal agency (in this case the STB).

The first step would be to show us why the railroad must be demolished/removed and why other options, that would keep the railroad and setting intact, were eliminated - for example: why does the church need to expand in the first place? Why can't the new building be in another area of the church property? Why not build around the railroad? Why not build a smaller building that could completely eliminate the effect to the resource? Etc. The idea being, to show why the option chosen is the necessary one to go with and how the other options, which would avoid the adverse effect, are not feasible (if that is the case).

The second step, if avoidance is not possible, is to attempt to minimize this adverse impact. This would include some of the above options as well, which is why most applicants combine these first two steps. For example: by involving us in the design process of the new building, can the plans be manipulated to incorporate the historic resource? And similar to above, could a smaller building be built that would partially eliminate the effect to the resources? etc.. At this point, we would also be commenting on ways to minimize the impact the project may have on any of the historic resources.

The third step would be to consult with us on ways to mitigate the impact of the project, if avoidance and minimization are not possible. Mitigation can really be anything that benefits preservation in the area, and would be decided based on consultation between all parties involved. Often the federal agency wants to be brought in at this point to participate in the discussion. Of course, this aspect cost money, but that is the idea behind mitigation - to balance the loss to the historic property by doing something that benefits the historic property/preservation.

The fourth step would be, of course, to complete the mitigation. Depending on what is decided for mitigation, the project may be able to start prior to the mitigation being completed.

Hopefully, this helps understand the impacts of an adverse effect determination and the steps in the process in order to proceed with the project. Once the agency and applicant dive into these steps, if questions arise that would require a meeting, we would be glad to do so. Please let me know if you have any other questions.

Thank you,

Jennifer Dixon, MHP, NCIDQ
LEED Green Associate

Program Manager

Environmental Review & Preservation Planning
Historic Preservation Division
Georgia Department of Natural Resources

Jewett Center for Historic Preservation
2610 GA Hwy 155, SW | Stockbridge, GA 30281
P 770.389.7851 | www.georgiashpo.org



HISTORIC PRESERVATION DIVISION



From: Hocky, Eric M. [mailto:ehocky@clarkhill.com]
Sent: Thursday, August 18, 2016 2:46 PM
To: Dixon, Jennifer <Jennifer.Dixon@dnr.ga.gov>
Cc: Joe Whittemore (wscpas@hartcom.net) <wscpas@hartcom.net>
Subject: RE: HP-160617-007

Thank you for your prompt response. Mr. Whittemore and the Church (which would be the applicant at the Surface Transportation Board), is still interested in meeting with you to better understand the protections afforded to the railroad tracks as an eligible property, to explain the Church's needs, and to discuss how any adverse effects of the tracks through its property might be avoided or minimized.

If you are willing to meet, please let him know where and when it would be best to do so. As we indicated in our letter, Mr. Whittemore is willing to travel to your offices if that is most convenient.

Thank you.

Eric M. Hocky

CLARK HILL PLC

Direct Dial: 215.640.8523 | Fax: 215.640.8501

From: Dixon, Jennifer [mailto:Jennifer.Dixon@dnr.ga.gov]
Sent: Thursday, August 18, 2016 12:07 PM
To: Hocky, Eric M.
Subject: RE: HP-160617-007

Mr. Hocky,

There appears to be a misunderstanding regarding the resources our office is concerned with. Not only are the nearby listed properties a concern (such as the historic district) for visual or other indirect effects, but the railroad itself is an eligible property. By definition, the demolition (or removal) of a resource is an adverse effect.

As such, we look forward to receiving documentation identifying the ways the Surface Transportation Board and its applicants attempted to avoid or minimize this adverse effect, such as leaving the railroad in place and developing adjacent to it, etc.

Thank you,

Jennifer Dixon, MHP, NCIDQ
LEED Green Associate

Program Manager
Environmental Review & Preservation Planning
Historic Preservation Division
Georgia Department of Natural Resources

Jewett Center for Historic Preservation
2610 GA Hwy 155, SW | Stockbridge, GA 30281
P 770.389.7851 | www.georgiashpo.org



HISTORIC PRESERVATION DIVISION



From: Hocky, Eric M. [<mailto:ehocky@clarkhill.com>]
Sent: Thursday, August 18, 2016 12:01 PM
To: Dixon, Jennifer <Jennifer.Dixon@dnr.ga.gov>
Subject: HP-160617-007

Please see the attached letter in response to the letter received from the Historic Preservation Division.

Thank you.

Eric M. Hocky

CLARK HILL PLC

One Commerce Square | 2005 Market Street, Suite 1000 | Philadelphia, PA 19103
Direct Dial: 215.640.8523 | Fax: 215.640.8501
ehocky@clarkhill.com | www.clarkhill.com

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Pennsylvania • Washington DC • West Virginia

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United States Department of Agriculture

June 28, 2016

Carol D. Lydon
Clark Hill PLC
One Commerce Square
Suite 1000
Philadelphia, PA 19103

Re: Early Coordination Request: Surface Transportation Board Docket No. AB 1242, Hart County, Hartwell First United Methodist Church – Adverse Abandonment and Discontinuance – Hartwell Railroad Company and The Great Walton Railroad Company, Inc. in Hart County, GA

Dear Ms. Lydon:

This letter is in reference to your request for information on the possible impacts the proposed railway abandonment and track removal may have on land use, conservation, water quality and other general environmental concerns that may be of interest to our agency. The following outlines our concerns with the proposed project with regards to farmland protection, and Natural Resources Conservation Service (NRCS) watershed dams and project easements.

Farmland Protection

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency. For the purpose of FPPA, farmland includes areas located within soil mapunits rated as prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land uses, but not water or urban built-up land. It should be noted that the FPPA does not authorize the Federal Government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners.

NRCS uses a Land Evaluation and Site Assessment (LESA) system to establish a farmland conversion impact rating score on proposed sites of federally funded and assisted projects. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level. It is our understanding that the proposed project involves federal funds or assistance, and thus could be subject to this assessment. However, this project is completely contained within a US Census Bureau urban area (Hartwell, GA 37432), and is thus exempt from this assessment. You need take no further action for FPPA purposes.

Natural Resources Conservation Service

Georgia State Office
355 East Hancock Avenue - Athens, GA - 30601-2775
Voice: 706-546-2272 Fax: 855-417-8490

An Equal Opportunity Provider and Employer

NRCS Watershed Dams

More than 50 years ago, the U.S. Department of Agriculture was authorized by Congress to help local communities with flood control and watershed protection through the Watershed Program (PL-534 Flood Control Act of 1944 and PL-566 Watershed Protection and Flood Prevention Act). As a result, local communities, with NRCS assistance, have constructed over 11,000 dams in 47 states since 1948. These dams were originally constructed for protection of farmlands from flooding impacts. In 2000, PL-566 was amended to provide NRCS authorization to assist communities with rehabilitation of their aging dams. The legislation authorizes NRCS to work with local communities and watershed project sponsors to address public health and safety concerns and potential environmental impacts of aging dams.

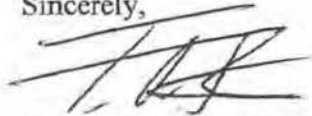
We have reviewed our records and have determined that there are no such structures in the vicinity or downstream of the proposed project that would be affected by these activities.

NRCS Easements

NRCS easements relate to our Wetland Reserve Program and the Farm and Ranchland Protection Program. We have reviewed our records and have determined that there are no such easements in the vicinity or downstream of the proposed project that would be affected by these activities.

NRCS appreciates this opportunity to comment. If you have questions or need any additional information, please contact Dee Pederson of my staff at (706) 552-2532 or dee.pederson@ga.usda.gov.

Sincerely,



TERRANCE O. RUDOLPH
State Conservationist

cc: Jack Lewis, Assistant State Conservationist (FO), NRCS, Athens, GA
Gregg Jameson, District Conservationist, NRCS, Hartwell, GA
Greg Clark, Acting Resource Soil Scientist, NRCS, Griffin, GA
Dee Pederson, Assistant State Soil Scientist, NRCS, Athens, GA
Jim Lathem, State Soil Scientist, NRCS, Athens, GA

Lydon, Carol

From: Yellin, Anna <Anna.Yellin@dnr.ga.gov>
Sent: Tuesday, July 05, 2016 11:28 AM
To: Lydon, Carol
Subject: Surface Transportation Board Docket No. AB 1242
Attachments: ir_16464.pdf

Hello-

Please see attached Environmental Review for Surface Transportation Board Docket No. AB 1242 location in Hartwell, GA. If I can be of additional assistance, do not hesitate to contact me-

Thanks!

Anna

Anna Yellin
Environmental Review Coordinator, Nongame Conservation

Wildlife Resources Division
(706) 557-3283 | M: (678) 459-8393

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WILDLIFE RESOURCES DIVISION

MARK WILLIAMS
COMMISSIONER

DAN FORSTER
DIRECTOR

July 5, 2016

Carol Lyndon
Clark Hill PLC
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103

Subject: Known occurrences of natural communities, plants and animals of highest priority conservation status on or near Surface Transportation Board Docket No. AB 1242 Project, Hart County, Georgia

Dear Ms. Lyndon:

This is in response to your request of June 14, 2016. Thank you for the opportunity to review the proposed Surface Transportation Board Docket No. AB 1242 location in Hartwell, GA. We have no records of high priority species or habitats within the project area. The proposed project is not likely to negatively impact high priority species or habitats. Please use best management practices when completing the project and there should be minimal impacts to the surrounding environment.

If I can be of further assistance, please let me know.
Sincerely,



Anna Yellin
Environmental Review Coordinator

Lydon, Carol

From: Goodloe, Robin <robin_goodloe@fws.gov>
Sent: Friday, July 01, 2016 1:49 PM
To: Lydon, Carol
Subject: Hartwell First United Methodist Church
Attachments: Hartwell_Methodist.pdf

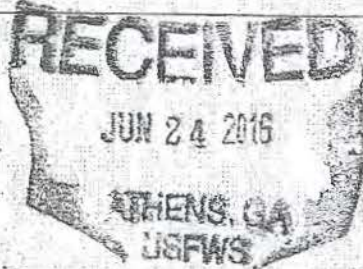
Thank you for the opportunity to review.

Robin Goodloe, Supervisory Fish and Wildlife Biologist, North Georgia Office
Georgia Ecological Services
US Fish and Wildlife Service
105 West Park Drive, Suite D, Athens, GA 30606
706-613-9493 X221  706-613-6059 fax

CLARK HILL

ES ADMIN RCVD
DATE 06/21/16 mfh

Carol D. Lydon
T 215.640.8537
F 215.640.8501
Email: clydon@clarkhill.com



Clark Hill PLC
One Commerce Square
2005 Market Street
Suite 1000
Philadelphia, PA 19103
T 215.640.8500
F 215.640.8501

clarkhill.com

Athens FO
Don
Imm

June 14, 2016

ALL AGENCIES PER THE ATTACHED
SERVICE LIST

Re: Hartwell First United Methodist Church - Adverse Abandonment
Discontinuance - Hartwell Railroad Company and The Great Wa
Company, Inc. in Hart County, GA

Surface Transportation Board Docket No. AB 1242

To Whom it May Concern:

This letter is to advise you that Hartwell First United Methodist Church ("Hartw
proposes to file an adverse or third-party abandonment application seeking "adv
for Hartwell Railroad Company ("HRT") to abandon, and The Great Walton Railroad Company,
Inc. ("GRWR") to discontinue service over, the approximately 0.25 miles of railroad tracks and
associated right of way (the "Subject Line") currently owned by HRT over which GRWR has
trackage rights, between Athens Street (unknown milepost) and the end of the line at South
Forest Avenue (milepost 10.5), in Hartwell, Hart County, Georgia. The Subject Line traverses
through United States Postal Service ZIP Code 30643. A map of the Subject Line is attached as
Exhibit A.

Hartwell First plans to file the application in STB Docket No. AB-1242 with the Surface
Transportation Board ("STB") pursuant to 49 CFR Part 1152.

There are no known stations associated with the Subject Line. The reason for the proposed
adverse abandonment is that the Subject Line has not been used to provide rail service for over
20 years, there are no prospects for future service, and Hartwell First wants quiet title to the
portion of the right of way that bisects its property. Hartwell First is seeking adverse
abandonment authority so that the STB's jurisdiction will be removed, and Hartwell First can
proceed with its quiet title action under Georgia state law. Hartwell First wishes to develop its

Based on the information provided, the proposed action is not
expected to significantly impact fish and wildlife resources
under the jurisdiction of the U.S. Fish & Wildlife Service.
Donald W. Imm, Ph.D., Field Supervisor Date 6/15/16



U. S. Fish and Wildlife Service
105 Westpark Drive, Suite D
Athens, GA 30606
706-613-9493 Fax 706-613-6059

FWS Log No.
NC-16-190-HART

ALL AGENCIES PER THE ATTACHED SERVICE LIST

June 14, 2016

Page 2

adjacent properties for additional facilities and as such, will seek to have the track removed. Hartwell First does not believe that there are any reasonable alternatives to the proposed action. Hartwell First believes that the abandonment will not have a significant effect upon the environment.

Based upon information in our possession, the Subject Line does not contain federally granted rights of way. Any documentation in Hartwell First's possession will be made available promptly to those requesting it.

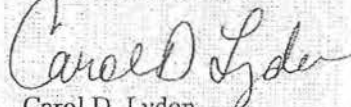
In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by July 14, 2016 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (215) 640-8537.

Thank you for your cooperation.

Very truly yours,

CLARK HILL PLC



Carol D. Lydon

CDL

Enclosures

cc: Eric M. Hocky, Esquire
Hartwell United Methodist Church

Lydon, Carol

From: Simon Monroe <simon.monroe@noaa.gov>
Sent: Friday, July 29, 2016 4:53 PM
To: Lydon, Carol
Cc: SURFACE TRANSPORTATION BOARD; Lucy.Hall@noaa.gov; Simon Monroe
Subject: NGS Response, STB Docket AB-1242

Thank you for sharing your railroad abandonment environmental report for
HARTWELL, Hart County, GEORGIA.

Approximately 00 geodetic survey marks may be located in the area described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic station
marks are described on the attached file. Additional advice is provided at

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

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

No Stations Found.



**Georgia Mountains
Regional Commission**

July 19, 2016

Ms. Carol D. Lydon
Clark Hill, PLC
One Commerce Square
2005 Market Street, Suite 1000
Philadelphia, PA 19103

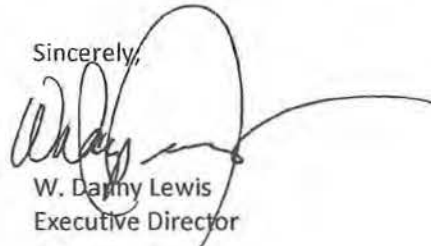
Re: First United Methodist Church

Dear Ms. Lydon:

The above reference project has been reviewed by the Georgia Mountains Regional Commission. The Regional Commission feels that this project is considered to be consistent with those state or regional goals, policies, plans, fiscal resources, criteria for developments of regional impact, environmental impacts, federal executive orders, acts and/or rules and regulations with which the organization is concerned.

Thank you for including us in your review. If you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,



W. Danny Lewis
Executive Director

WDL/pl



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

July 1, 2016

Ms. Carol Lydon
Clark Hill PLC
One Commerce Square
2005 Market Street, Ste. 1000
Philadelphia, PA 19103

RE: Hartwell First United Methodist Church – Adverse Abandonment and Discontinuance –
Hartwell Railroad Company and The Great Walton Railroad Company, Inc., in Hart Co.
STB Docket No. AB 1242

Dear Ms. Lydon:

Staff of the Georgia Coastal Management Program (GCMP) has reviewed your June 14, 2016 letter and attached exhibits. Hartwell First United Methodist Church proposes to file an adverse abandonment application for Hartwell Railroad Company to abandon approximately 0.25 miles of railroad tracks and ROWs between Athens Street and South Forest Avenue in Hartwell, Hart County, Georgia.

Hart County is not within Georgia's coastal zone and abandonment will not have any reasonably foreseeable effects on coastal uses or resources. Please feel free to contact me if I may be of further assistance in this or other projects.

Sincerely,

Kelie Moore
Federal Consistency Coordinator

EXHIBIT C

ENVIRONMENTAL/HISTORICAL/COASTAL
RESPONSE LOG

Hartwell First United Methodist Church – Adverse Abandonment and Discontinuance – Hartwell Railroad Company and The Great Walton Railroad Company, Inc. in Hart
County, GA
STB Docket No. AB 1242

<u>AGENCY</u>	<u>CONTACT</u>	<u>DATE SENT</u>	<u>DATE RESPONSE</u> <u>REC'D</u>	<u>FORM OF RESPONSE/SUMMARY</u>
Georgia Mountains Regional Commission 1310 West Ridge Road P.O. Box 1720 Gainesville, GA 30503		6/14/2016	7/27/2016	Letter/No impact expected
Georgia Environmental Protection Division 2 Martin Luther King Jr. Drive Atlanta GA 30334		6/14/2016		
Georgia Environmental Protection Division Northeast District 745 Gaines School Road Athens, GA 30605		6/14/2016		
Georgia Coastal Resources Division 1 Conservation Way Brunswick, GA 31520		6/14/2016	7/28/2016	Letter/Abandonment not in coastal zone; no impact
Jon Caime, Hart County Administrator 800 Chandler Street Hartwell, GA 31520		6/14/2016		
Environmental Protection Agency EPA Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303		6/14/2016		

ENVIRONMENTAL/HISTORICAL/COASTAL
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<u>AGENCY</u>	<u>CONTACT</u>	<u>DATE SENT</u>	<u>DATE RESPONSE REC'D</u>	<u>FORM OF RESPONSE/SUMMARY</u>
U.S. Fish and Wildlife Service Southeast Region 4 Office of the Regional Director 1875 Century Blvd., Suite 400 Atlanta, GA 30345-3319		6/14/2016	7/1/2016	Emailed letter/Project is not expected o significantly impact fish and wildlife resources
Georgia Wildlife Resources Division Headquarters Office 2070 U.S. Highway 278, SE Social Circle, GA 30025		6/14/2016	7/5/2016	Emailed letter/Project is not likely to negatively impact high priority species or habitats.
U.S Army Corps of Engineers Savannah District 100 W. Oglethorpe Ave. Savannah, GA 31401		6/14/2016		
National Park Service Stan Austin, Regional Director National Park Service 100 Alabama Street, SW 1924 Building Atlanta, GA 30303		6/14/2016		
National Park Service 1849 C Street, NW Washington, DC 20240		6/14/2016		
USDA, NRCS, Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250		6/14/2016		

ENVIRONMENTAL/HISTORICAL/COASTAL
RESPONSE LOG

Hartwell First United Methodist Church – Adverse Abandonment and Discontinuance – Hartwell Railroad Company and The Great Walton Railroad Company, Inc. in Hart
County, GA
STB Docket No. AB 1242

<u>AGENCY</u>	<u>CONTACT</u>	<u>DATE SENT</u>	<u>DATE RESPONSE REC'D</u>	<u>FORM OF RESPONSE/SUMMARY</u>
USDA, NRCS 355 E. Hancock Ave. Mail Stop 200 Athens, GA 30601		6/14/2016	7/5/2016	Letter/No impact expected
NRCS Hartwell Service Center 88 Maret Street Hartwell, GA 30643-1172		6/14/2016		
Communications and Outreach Branch NOAA, N/NGS12 National Geodetic Survey, SSMC3 #9340 1315 East-West Highway Silver Spring, MD 20910-3282		6/14/2016	8/1/2016	Letter/No impact expected
DNR Historic Preservation Division Jewett Center for Historic Preservation 2610 GA Highway 155, SW Stockbridge, GA 30281		6/14/2016 8/18/16 - follow up	7/8/2016 8/18/16 - response to follow up	Letter - ADVERSE impact expected. Follow up letter sent from E. Hocky to DNR requesting meeting. Email received from DNR in response to follow-up letter stating that meeting is premature.
Georgia Department of Transportation Administration Division/General Counsel One Georgia Center 600 W. Peachtree, NW 23rd Floor Atlanta, GA 30308 Attn: Matthew Cline		6/14/2016		

ENVIRONMENTAL/HISTORICAL/COASTAL
RESPONSE LOG

Hartwell First United Methodist Church – Adverse Abandonment and Discontinuance – Hartwell Railroad Company and The Great Walton Railroad Company, Inc. in Hart
County, GA
STB Docket No. AB 1242

<u>AGENCY</u>	<u>CONTACT</u>	<u>DATE SENT</u>	<u>DATE RESPONSE</u> <u>REC'D</u>	<u>FORM OF RESPONSE/SUMMARY</u>
Georgia Department of Transportation District One Brent Cook, District Engineer 2505 Athens Highway, SE Gainesville, GA 30507		6/14/2016		

EXHIBIT D

Notice of Intent To File Adverse Abandonment and Discontinuance

Hartwell First United Methodist Church ("Applicant") gives notice that on or about December 1, 2016, it intends to file with the Surface Transportation Board ("STB"), Washington, DC 20423, an application seeking the adverse abandonment and discontinuance (collectively, "abandonment") of the approximately 0.25 miles of railroad tracks between Athens Street (unknown milepost) and South Forest Avenue (milepost 10.5) in Hartwell, Georgia (the "Line") currently owned by Hartwell Railroad Company ("HRT"), and over which The Great Walton Railroad Company ("GRWR") has trackage rights. The Line traverses through United States Postal Service ZIP Code 30643, in Hart County, Georgia. There are no stations associated with the Line. Applicant claims that the Line has not been used to provide rail service for over 20 years, and that there are no prospects for future service. Applicant, as the owner of property on either side of the right of way wants quiet title to the portion of the right of way that bisects its property. HRT and GRWR have refused to seek abandonment and discontinuance on their own. Applicant is seeking adverse abandonment authority so that the STB's jurisdiction will be removed, and Applicant can proceed with its quiet title action under Georgia state law. Based on information in Applicant's possession, the Line does not contain federally granted rights-of-way. Any documentation in the Applicant's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by Oregon Short Line Railroad Co.--Abandonment--Goshen, 360 ICC 91 (1979). The application will include the Applicant's entire case for adverse abandonment and discontinuance. Any interested person, after the application is filed on (insert date), may file with the Surface Transportation Board written comments concerning the proposed adverse abandonment, or protests to it. These filings are due 45 days from the date of filing of the application. Based on waivers and exemptions granted by the Surface Transportation Board, this proposed abandonment will not be subject to a request for a public use condition under 49 U.S.C. 10905 (§1152.28 of the Board's rules), or a request for a trail use condition under 16 U.S.C. 1247(d) (§ 1152.29 of the Board's rules). The Surface Transportation Board did not rule on whether a request for a trail use condition under 16 U.S.C. 1247(d) (§ 1152.29 of the Board's rules) will be permitted; however, if permitted, a request must be filed within 45 days from the date of filing of the application. Persons who may oppose the abandonment but who do not wish to participate fully in the process by appearing at any oral hearings or by submitting verified statements of witnesses, containing detailed evidence, should file comments. Persons interested only in seeking trail use conditions should also file comments. Persons opposing the proposed abandonment that do wish to participate actively and fully in the process should file a protest. Protests must contain that party's entire case in opposition including the following:

- (1) Protestant's name, address and business.
- (2) A statement describing protestant's interest in the proceeding including:
 - (i) A description of protestant's use of the Line;
 - (ii) If protestant does not use the line, information concerning the group or public interest it represents; and

- (iii) If protestant's interest is limited to the retention of service over a portion of the Line, a description of the portion of the Line subject to protestant's interest (with any designations as may be available) and evidence showing that the applicant can operate the portion of the Line profitably, including an appropriate return on its investment for those operations.
- (3) Specific reasons why protestant opposes the application including information regarding protestant's reliance on the involved service [this information must be supported by affidavits of persons with personal knowledge of the fact(s)].
- (4) Any rebuttal of material submitted by Applicant.

In addition, a commenting party or protestant may provide a statement of position and evidence regarding:

- (i) Environmental impact.
- (ii) Impact on rural and community development.
- (iii) Recommended provisions for protection of the interests of employees.
- (iv) Prospective use of the right-of-way for interim trail use and rail banking under 16 U.S.C. 1247(d) and §1152.29.

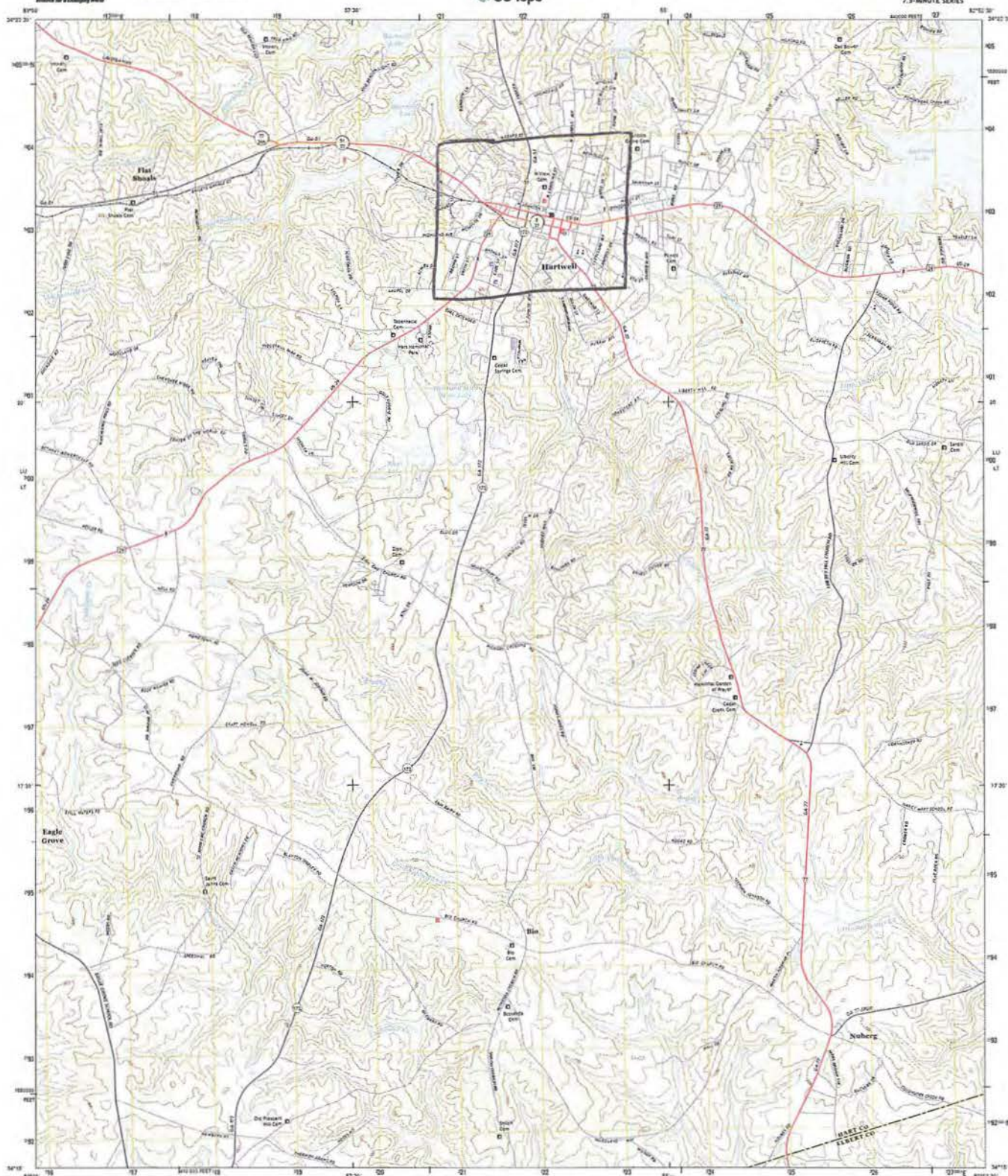
Written comments and protests will be considered by the Board in determining what disposition to make of the application. The commenting party or protestant may participate in the proceeding as its interests may appear.

If an oral hearing is desired, the requester must make a request for an oral hearing and provide reasons why an oral hearing is necessary. Oral hearing requests must be filed with the Board no later than 10 days after the application is filed.

Those parties filing protests to the proposed abandonment should be prepared to participate actively either in an oral hearing or through the submission of their entire opposition case in the form of verified statements and arguments at the time they file a protest. Parties seeking information concerning the filing of protests should refer to §1152.25.

Written comments and protests, including all requests for trail use conditions, should indicate the proceeding designation STB Docket No. AB 1242, and must be filed with the Chief, Section of Administration, Office of Proceedings, Surface Transportation Board, Washington, DC 20423-0001, no later than January 14, 2017 (or 45 days after the date Applicant files its application). Interested persons may file a written comment or protest with the Board to become a party to this abandonment proceeding. A copy of each written comment or protest shall be served upon the representative of the Applicant: Eric M. Hocky, Clark Hill PLC, One Commerce Square, 2005 Market Street, Philadelphia, PA 19103; 215-640-8500. The original and 10 copies of all comments or protests shall be filed with the Board with a certificate of service. Except as otherwise set forth in 49 CFR Part 1152, each document filed with the Board must be served on all parties to the abandonment proceeding. 49 CFR §1104.12(a).

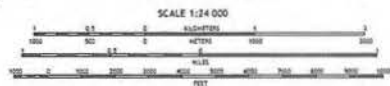
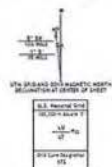
EXHIBIT E



Produced by the United States Geological Survey
Domestication Section of 1962 (H-623)
World Geodetic System of 1954 (WGS54). Projected and
a 200-meter grid. Universal Transverse Mercator, Zone 17E
NAD 83 datum; Spheroid: Clarke Spheroid of 1866 (mean)

This map is not a legal document. Boundaries may be generated for error or omission. Private lands within government reservations may not be shown. Check permission before entering private lands.

Integrity	_____	NAF	August 20
Route	_____	MRZ	#12
Home	_____	DIR	24
Hydrography	_____	Hydrography	October 10
Catchment	_____	Historical	El Salvador 10
Boundaries	_____	Multiple author	see metadata for 1973



CONTOUR INTERVAL: 30 FEET
NORTH AMERICAN DATUM OF 1988

This map was produced to conform with the
National Geospatial Program US Topographic Standard, 2011.
A mapcode is associated with this product in both version 1.0.0



ROAD CLASSIFICATION

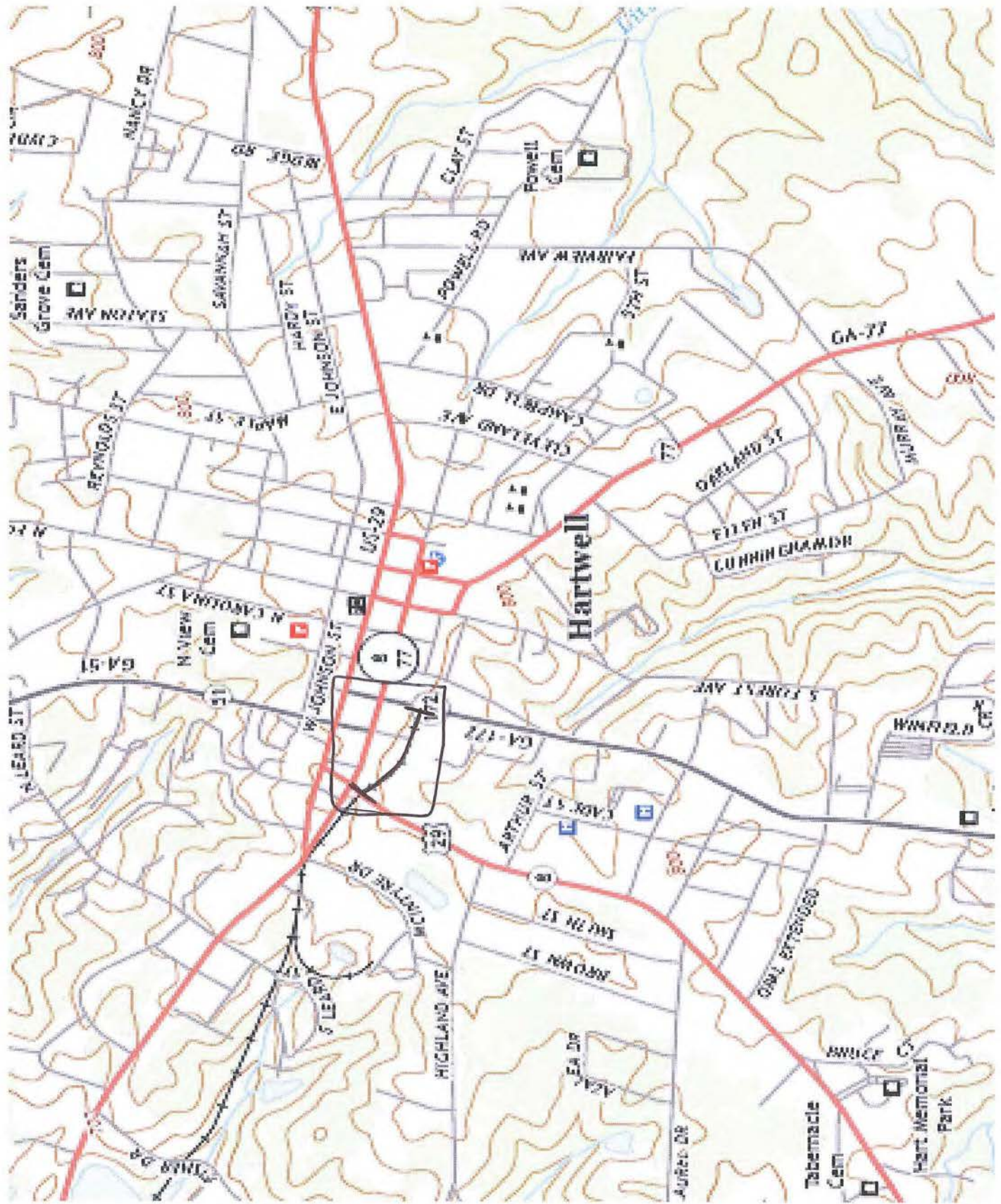
Expressway	_____	Local Connector	_____
Secondary Road	_____	Local Road	_____
Route	_____	Alt	_____

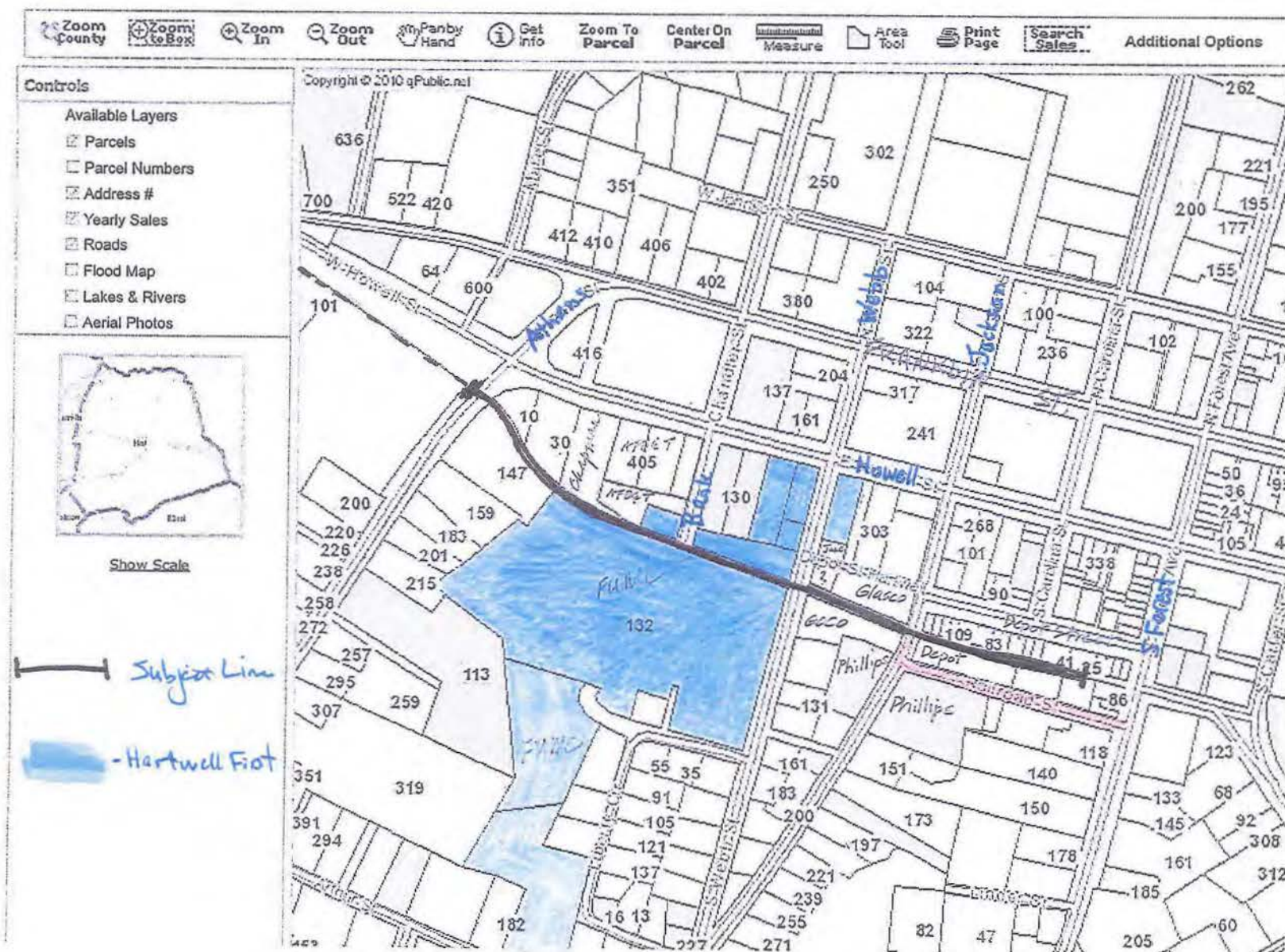
 Interstate Route  US Route  State Route

1	2	3
4		5
6	7	8

1 La Grange
 2 Reed Creek
 3 Hartwell Hill
 4 Payson
 5 Hartwell Dam
 6 Bremen
 7 Oley Ridge
 8 Rock Branch

HARTWELL, GA
2014





THE GREAT WALTON RAILROAD INC

The Athens Line, LLC
Hartwell Railroad Company



Great Walton Line

The Athens Line

Hartwell Line

Gallery

Map Overview

Inventory

Economic Development

Contact Us

Map Overview

To zoom in on our railroad territories use your mouse to scroll over Social Circle, Athens and Hartwell areas of the map.

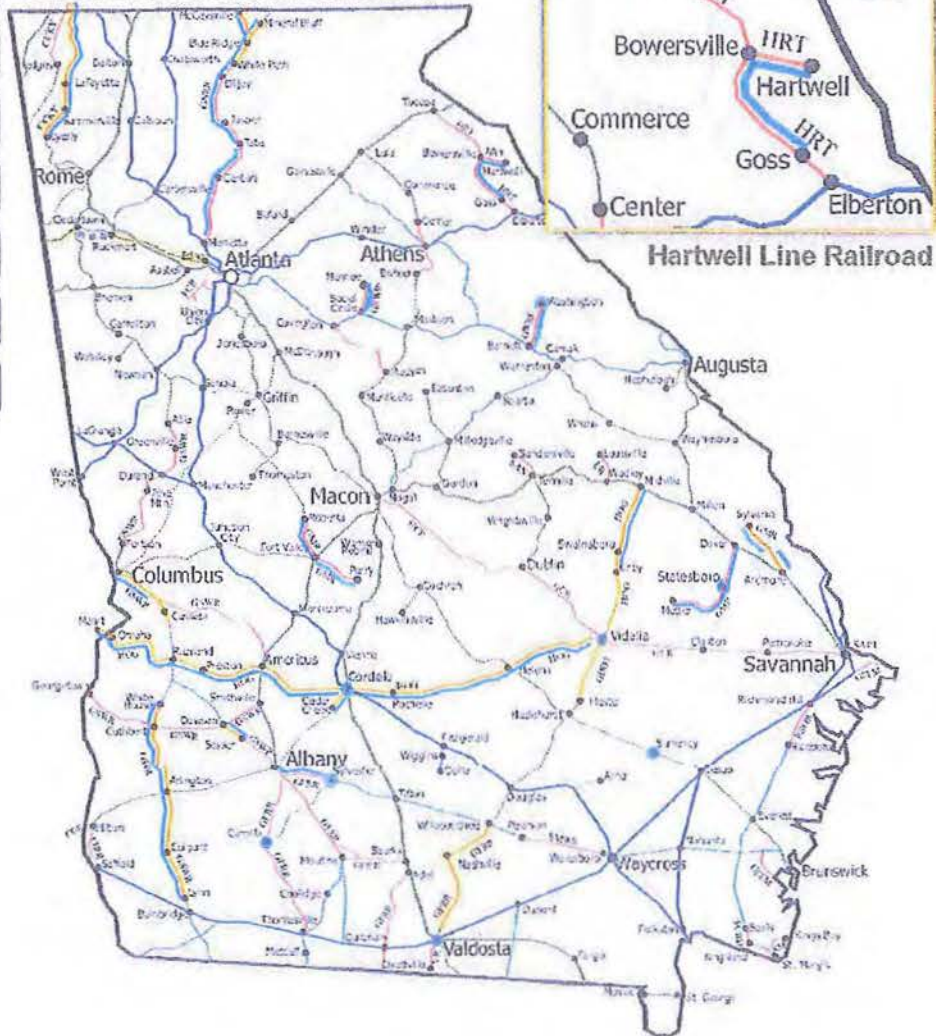
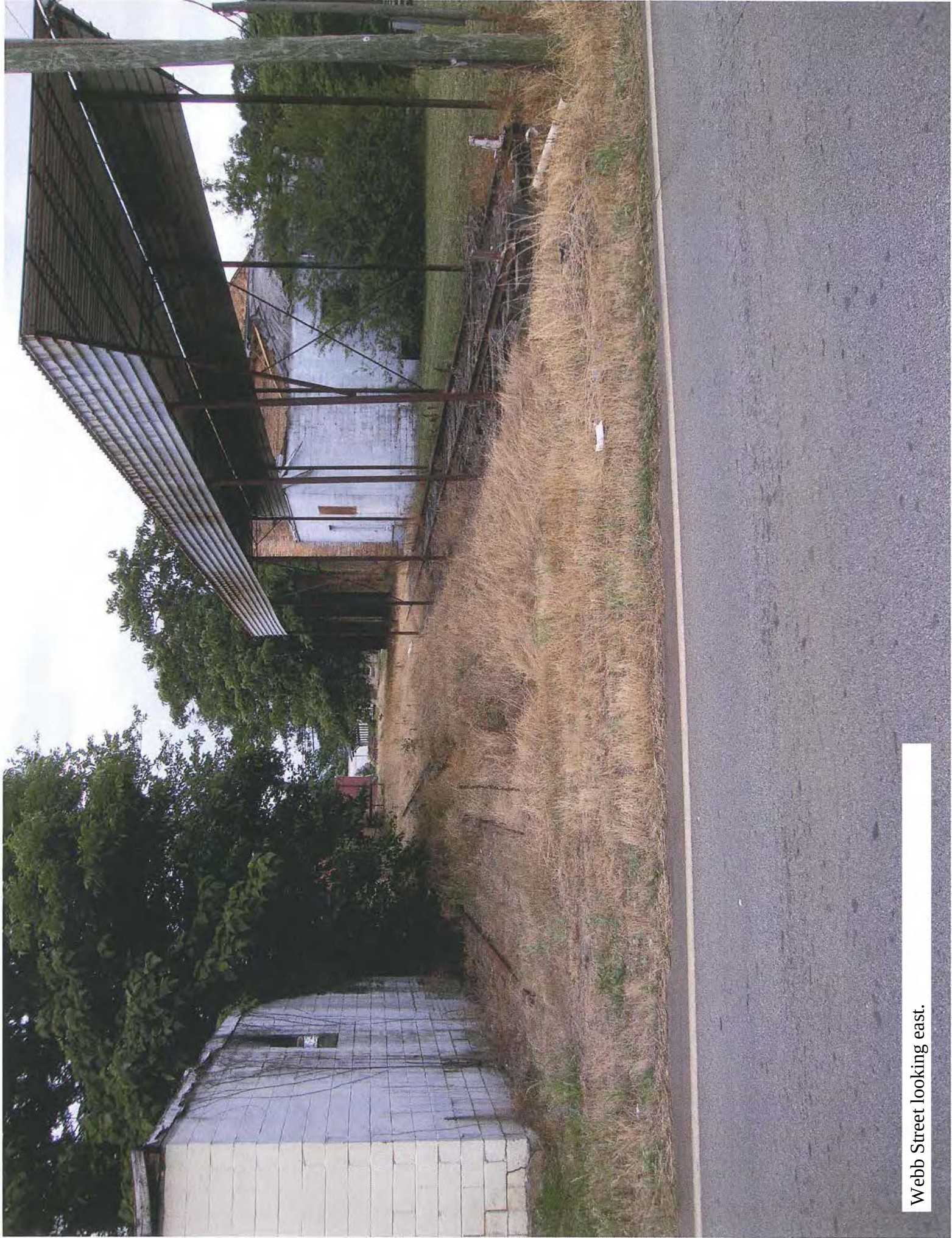


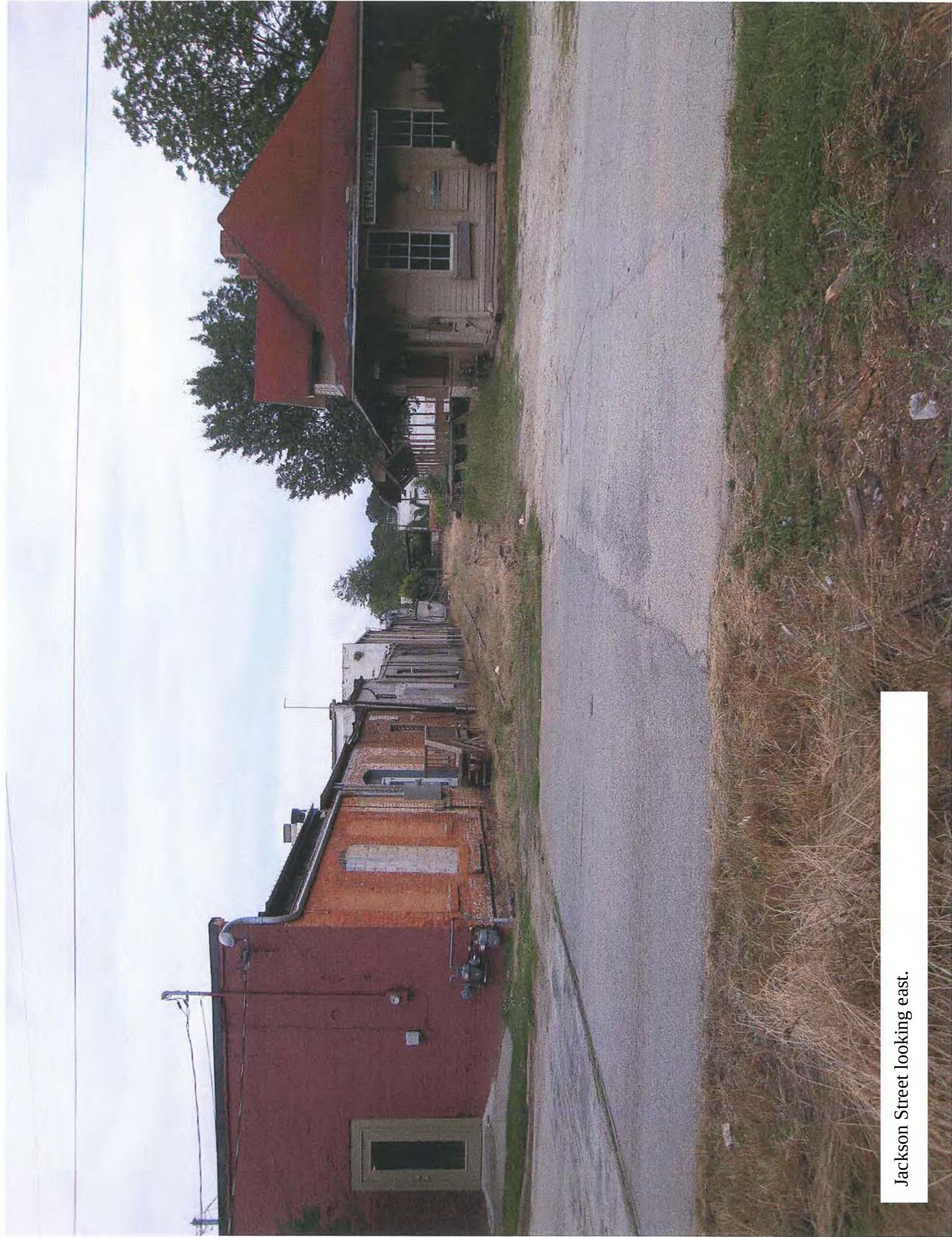
EXHIBIT F



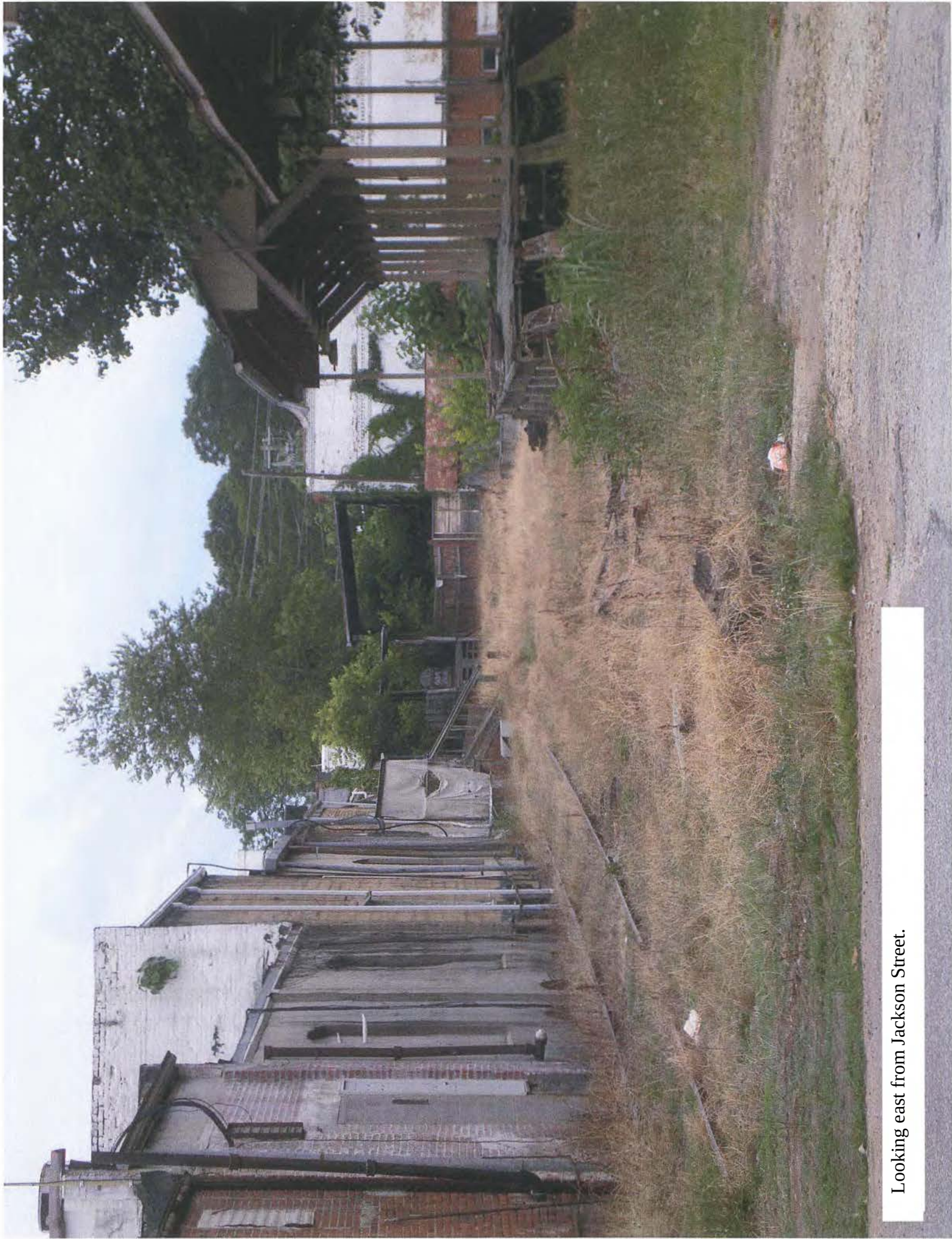
Webb Street looking east.



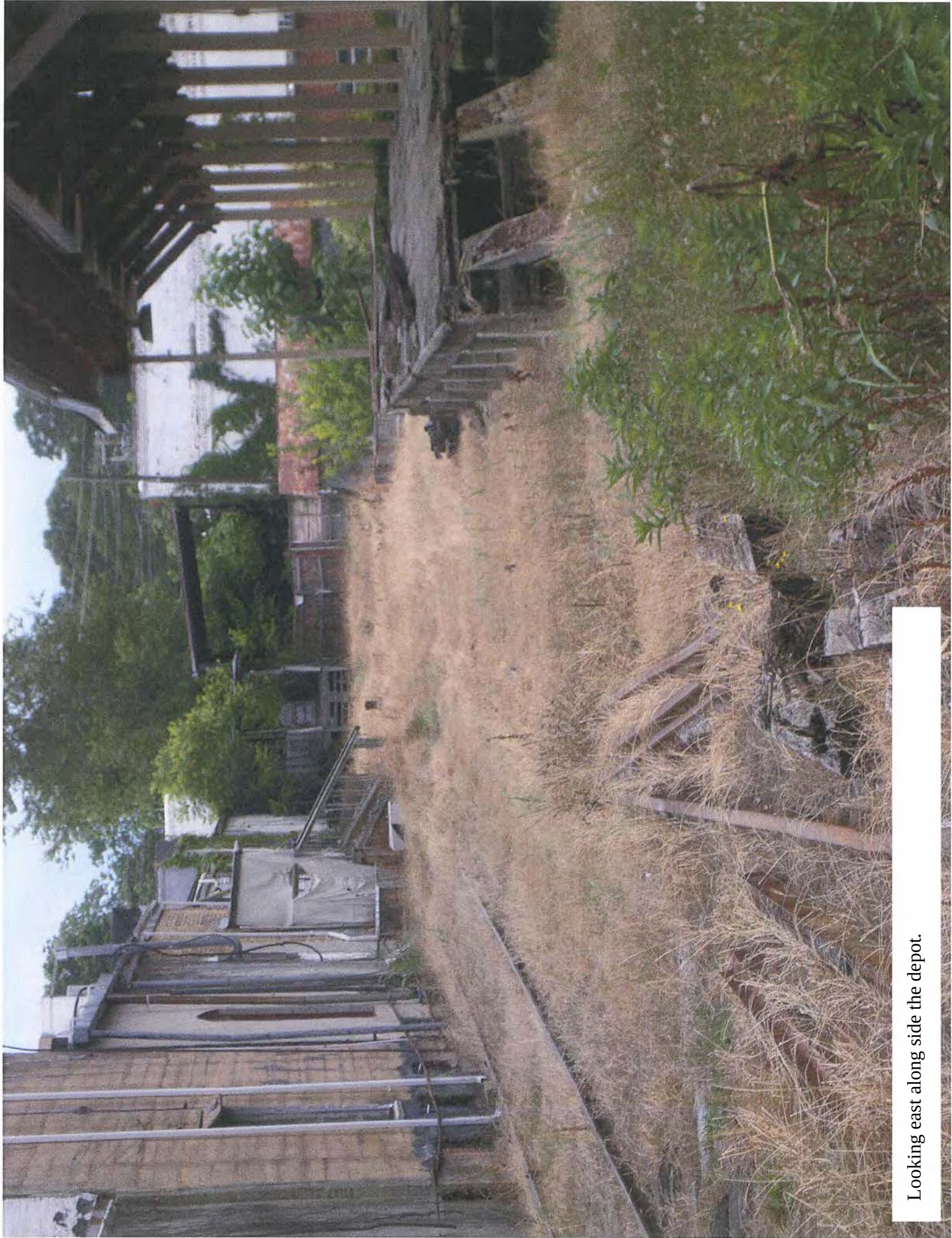
Condition of tracks at Webb Street looking west.



Jackson Street looking east.



Looking east from Jackson Street.



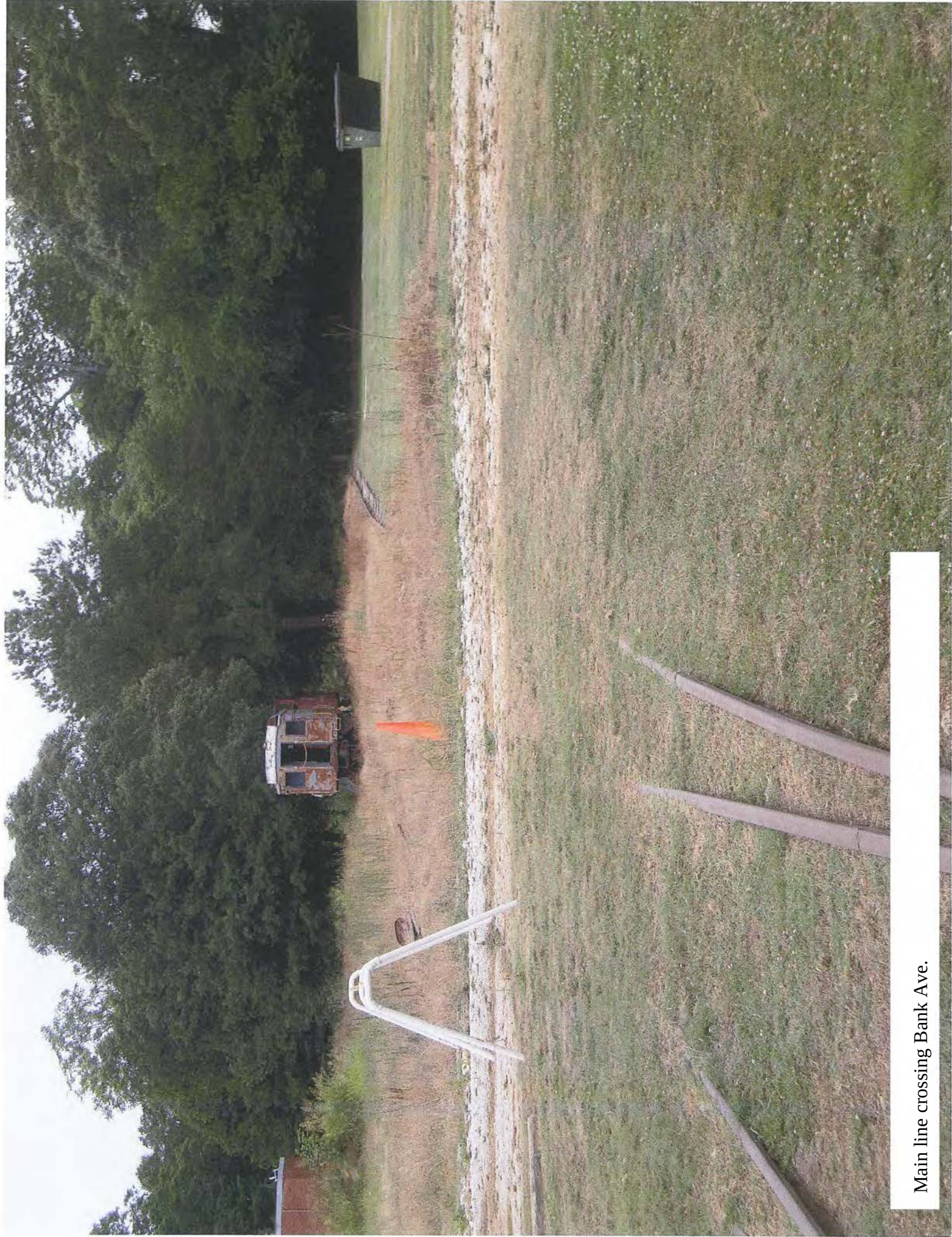
Looking east along side the depot.



Condition of the track looking west from Bank Ave.



Close up of the condition of the track looking west from Bank Ave. (see previous photo)



Main line crossing Bank Ave.



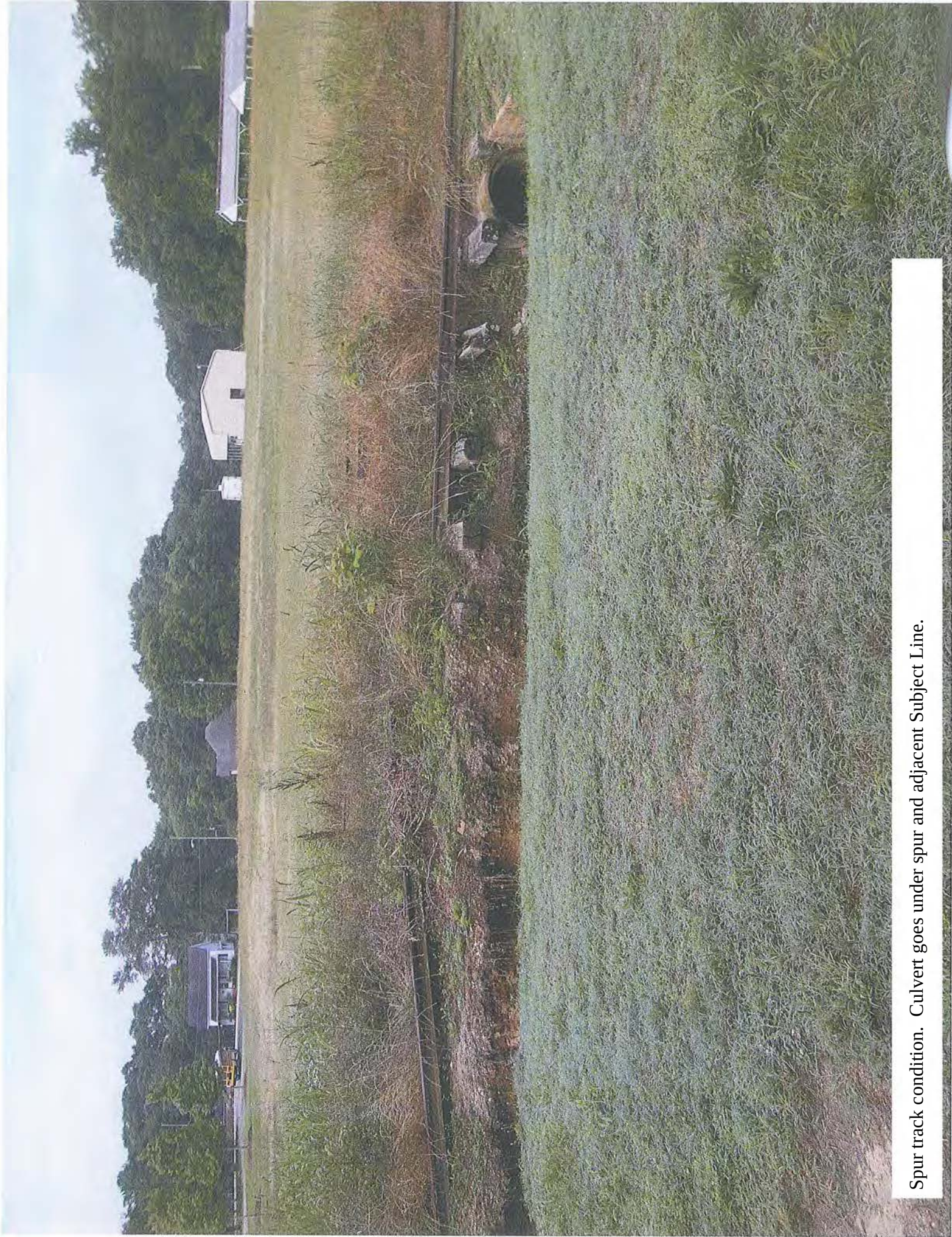
Main line looking east from Bank Ave.



Main line looking east toward Webb St. behind the church.



Athens Street looking east



Spur track condition. Culvert goes under spur and adjacent Subject Line.