

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 400 (Sub No. 6X)

SEMINOLE GULF RAILWAY, L.P.
- EXEMPT ABANDONMENT -
IN SARASOTA COUNTY, FLORIDA

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

244418

ENTERED
Office of Proceedings
September 26, 2017
Part of
Public Record

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Attorneys for Seminole Gulf Railway, L.P.

Dated: September 26, 2017

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 400 (Sub No. 6X)

SEMINOLE GULF RAILWAY, L.P.
- EXEMPT ABANDONMENT -
IN SARASOTA COUNTY, FLORIDA

ENVIRONMENTAL/HISTORIC REPORT

Seminole Gulf Railway, L.P. ("SGLR" or "Applicant") will be seeking authority to abandon a segment of its line of railroad known as the Venice Branch extending between Milepost SW 890.29 and Milepost SW 892.00, a portion of Bee Ridge Station outside of the City of Sarasota in Sarasota County, Florida (the "Subject Line"), a distance of 1.71 miles, entirely in Sarasota County, Florida. The Subject Line includes the station of Bee Ridge at Milepost SW 888.7. The Subject Line traverses through United States Postal Service ZIP Codes 34233 and 34238. A map of the Subject Line is attached hereto as Exhibit A.

Applicant plans to seek Board authorization on or about October 16, 2017, for the proposed abandonment by filing a notice of exemption pursuant to the provisions of 49 CFR 1152.50. This report is being filed in connection therewith, and in accordance with the requirements of 49 CFR 1105.7 and 1105.8. To prepare this report, Applicant consulted with various state and federal agencies as required by the Board's regulations. *See* the letters attached as Exhibit B. Based on the written responses received to-date by Applicant attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

Applicant proposes to abandon the Subject Line which it acquired in November 1987. Although SGLR has used the tracks for car storage, no local or overhead service has been provided over the Subject Line for over 10 years. Applicant plans to remove and reuse the track and track materials elsewhere on its system to the extent possible. SGLR, together with the underlying landowner CSX Transportation, Inc. and its affiliate The Atlantic Land and Improvement Company (together, "CSXT"), have granted the Trust for Public Land ("TPL") an option to acquire the Subject Line for conversion to a trail that would connect to an existing 12.43 mile trail (the "Legacy Trail") created in 2004 by the conversion of a connecting portion of the Venice Branch line of railroad. TPL is working with Sarasota County on the Legacy Trail extension.

2. EFFECTS OF THE TRANSPORTATION SYSTEM

Because there has been no local or overhead service on the Subject Line for over 10 years, no traffic will be diverted, and Applicant believes that the abandonment would have no effect on the transportation system. Applicant sent a consultation letter regarding the proposed abandonment to the Florida State Clearinghouse, and to the Florida Department of Transportation ("FDOT"). *See* the letters attached as part of Exhibit B. The State Clearinghouse responded that it did not select the project for review. *See* the email included as part of Exhibit C. No response has been received from FDOT.

3. LAND USE

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

agencies regarding the proposed abandonment that may be concerned with land use issues:

Florida Department of Environmental Protection (“FDEP”), County Administrator of Sarasota

County (“Sarasota County”), U.S. Environmental Protection Agency (Region 4) (“EPA”), U.S.

National Park Service (national); U.S. National Park Service (Southeast Region), U.S.

Department of Agriculture, NRCS (national) (“NRCS - national”), U.S. Department of

Agriculture, NRCS (Gainesville, Florida) (“NRCS – Florida”), U.S. Army Corps of Engineers

(South Atlantic Division), and the National Geodetic Survey. Copies of these letters are attached

as part of Exhibit B. To date, Applicant has only received responses from the following

consulted agencies, copies of which are included as part of Exhibit C:

- EPA indicated that since SGLR had contacted the FDEP and the U.S. Army Corps of Engineers, EPA had no comments or concerns.
- NCRA-Florida indicated that it had no comments on the proposed abandonment project, but that if federal funding were being used for the abandonment, then it would be up to the federal agency to determine if the Farmland Protection Policy Act would apply.¹

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land as the Subject Line is within urban Sarasota.

Consultation notices were sent to the agencies listed in paragraph 3(i) above, and as indicated, no responses have been received except for the responses from EPA and NCRA-Florida that indicate that they have no issues with the proposed abandonment.

(iii) Applicant does not believe that the abandonment is inconsistent with any coastal zone plans. Applicant sent a consultation letter regarding the abandonment to the Florida Coastal Office, a copy of which is attached as part of Exhibit B. No response has been received.

(iv) As described above, Applicant believes that the right of way is suitable for

¹ No federal funding will be used for the abandonment.

use as a trail or other public purposes. TPL has been granted an option to acquire the Subject Line for conversion to a trail that would extend the existing Legacy Trail. TPL is working with Sarasota County on the extension project.

4. **ENERGY**

Since there has not been any local or overhead service on the Subject Line for over 10 years,

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

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

5. **AIR**

Since there has not been any local or overhead service on the Subject Line for over 10 years, the proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(v).

6. **NOISE**

Applicant does not believe that the proposed abandonment will 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. Abandonment will allow the closing of four public rail-highway crossings (although crossings for possible trail use would still be necessary if the Subject Line is successfully converted to a trail).

8. BIOLOGICAL RESOURCES

(i) Applicant has consulted with the U.S. Fish and Wildlife Service (Southeast Region 4 -Regional Director), the U.S. Fish and Wildlife Service (Southeast Region 4 – Panama City), the Florida Fish and Wildlife Conservation Commission, as well as to the following agencies that are potentially concerned with biological resources: FDEP, EPA, U.S. National Park Service (national and Southeast Region), U.S. Army Corps of Engineers, NRCS-national, and NRCS – Gainesville. Copies of these consultation letters are attached as part of Exhibit B. The only potentially relevant response received to-date was from EPA, a copy of which is attached as part of Exhibit C. The following is a summary of the response:

- EPA indicated that since SGLR had contacted the FDEP and the U.S. Army Corps of Engineers, EPA had no comments or concerns.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment.

Consultation letters were sent to the agencies identified in the paragraph 8(i), and Applicant received only the response summarized above.

9. WATER

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant

consulted with the agencies identified in paragraph 8(i), and received only the response set forth in paragraph 8(i).

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. No response has been received to-date.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to FDEP and EPA. Copies of these letters are attached as part of Exhibit B. EPA in its response indicated that it had no comments or concerns, but noted that Clean Water Act programs have been delegated to FDEP. *See* the response included as part of Exhibit C. No response has been received from FDEP.

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 letters attached as Exhibit B, Applicant has consulted with the following agencies: Florida State Clearinghouse, Florida Department of Environmental Protection, Sarasota County, Environmental Protection Agency, U.S. Fish and Wildlife Service (Southeast Region 4 – Regional Director), U.S. Fish and Wildlife Service (Southeast Region 4 – Panama City), Florida Fish and Wildlife Conservation Commission, National Park Service (Southeast Region), National Park Service (national), U.S. Department of Agriculture, NRCS (national), U.S. Department of Agriculture, NRCS (Gainesville), National Geodetic Survey,

Florida Department of Transportation, and U.S. Army Corps of Engineers (South Atlantic Division). Written responses received to-date are attached as Exhibit C.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.
- (c) Notice of the proposed abandonment was published in *Sarasota Herald Tribune* on September 23, 2017. A copy of the form of notice is attached as Exhibit D. Applicant will provide a proof of publication when received.
- (d) Applicant will not file its verified notice of abandonment until at least twenty (20) days after the agencies have been served with a copy of this report.

**HISTORIC REPORT
(49 CFR 1105.8)**

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of this proposed abandonment is attached as Exhibit E. There are no known bridges or other structures on the Subject Line.

2. DESCRIPTION OF RIGHT OF WAY

The Subject Line extends between Milepost SW 890.29 and Milepost SW 892.00, a distance of approximately 1.71 miles, in Sarasota County, Florida. The right of way is 100 feet wide along the length of the Subject Line. The surrounding area is predominantly urban and light industrial.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

As noted above, there are no structures (historic or otherwise) located on the Subject Line, and accordingly, no photographs are required. Attached as Exhibit F are some photographs that provide a general depiction of the right of way of the Subject Line.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

As noted above, there are no structures (historic or otherwise) located on the Subject Line.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

Applicant believes that land upon which the Subject Line and the rest of the Venice Branch was constructed, was acquired by Seaboard Air Line Railway Company ("Seaboard") principally during the latter half of 1910. The rail line was built soon thereafter in approximately 1911. Seaboard eventually became part of CSXT. In November, 1987, the facilities comprising the rail line were sold, and the underlying land was leased, by CSXT to

SGLR. Over the years, various components of the rail line, including track, ties, crossings and signals, have been repaired or replaced as part of routine maintenance.

6. SUMMARY OF STRUCTURE DOCUMENTATION

Not applicable. As noted above, there are no structures (historic or otherwise) located on the Subject Line.

7. OPINION REGARDING CRITERIA FOR LISTING

Applicant has given notice of the proposed abandonment to the State historic Preservation Officer at the Florida Division of Historic Resources ("SHPO"), a copy of which is included as part of Exhibit B. In its letter response, a copy of which is included in Exhibit C, Applicant was advised that the SHPO would like a professional cultural resources assessment survey prepared as part of the SHPO's Section 106 review process. Applicant is reviewing the request, and expects to discuss the matter further with the SHPO.

Applicant notes that the salvage work that the Applicant proposes will be surface work only and will not disturb subsurface resources. Applicant also notes that when it abandoned the contiguous segment of rail line to the south in 2004 (*Seminole Gulf Railway, L.P. – Abandonment Exemption – In Sarasota County, Florida*, STB Docket No. AB 400 (Sub-No. 3X)), the SHPO found that no historic properties would be affected by the abandonment and salvage of the line at issue there.

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 surround terrain.

Respectfully submitted,



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(215) 640-8500
ehocky@clarkhill.com

Attorneys for Seminole Gulf Railway, L.P.

Dated: September 26, 2017

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of September, 2017, I served a copy of the foregoing Environmental/Historic Report on the persons listed below by first class mail, postage prepaid:

Florida State Clearinghouse
2600 Blair Stone Rd.
M.S. 47
Tallahassee, FL 32399-3000

National Park Service
Southeast Region
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

Florida Department of Environmental
Protection
3900 Commonwealth Blvd.
M.S. 49
Tallahassee, FL 32399-3000

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

County Administrator
Sarasota County
1660 Ringling Blvd.
Sarasota, FL 34236

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

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

USDA, NRCS
2614 NW 43rd Street
Gainesville, FL 32606

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

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 (Panama City)
1601 Balboa Ave.
Panama City, FL 32405-3792

Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Florida Fish and Wildlife Conservation
Commission
620 South Meridian St.
Tallahassee, FL 32399-1600

U.S. Army Corps of Engineers
South Atlantic Division
60 Forsyth St., SW
Atlanta, GA 30303-8801



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EXHIBIT A

MAP

EXHIBIT A

GIS #
04343-001

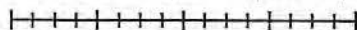
INTEL #
V2FL/L24/17

PIN #
12115 0032



1" = 1,700'

0 412.5925 1,650 2,475 3,300 Feet



CSX TRANSPORTATION, INC.
SARASOTA TRAIL - SOUTH
SITE: FL-115-1081567
SARASOTA COUNTY - BEE RIDGE, FL
MILEPOST: SW 890.27 - SW 892

DIVISION: JACKSONVILLE
SUBDIVISION: PALMETTO
DATE: 07/14/2017
REVISED: 07/14/2017
DRAWN BY: V5180

-  Engineering Milepost
-  Premises - 33.42 ± Acres
-  CSX Real Estate

THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.

EXHIBIT B

CONSULTATION LETTERS

CLARK HILL

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Email: ehocky@clarkhill.com

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Philadelphia, PA 19103
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August 4, 2017

ALL AGENCIES PER THE ATTACHED SERVICE LIST

Re: Seminole Gulf Railway, L.P. - Abandonment Exemption - In Sarasota County, FL
Surface Transportation Board Docket No. AB 400 (Sub. No. 6X)

To Whom It May Concern:

This letter is to advise you that Seminole Gulf Railway, L.P. ("SGLR") intends to file for the abandonment of a segment of its line of railroad known as the Venice Branch extending between Milepost SW 890.29 and Milepost SW 892.00, a portion of Bee Ridge Station outside of the City of Sarasota in Sarasota County, Florida (the "Subject Line"). The Subject Line traverses through United States Postal Service ZIP Codes 34233 and 34238. A map of the Subject Line is attached as Exhibit A.

SGLR plans to seek Surface Transportation Board ("STB") authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or about October 6, 2017 in Surface Transportation Board Docket No. AB 400 (Sub-No. 6X).

Based upon information in SGLR's possession, the Subject Line does not contain federally granted rights of way. Any documentation in SGLR's possession will be made available promptly to those requesting it. SGLR, together with the underlying landowner CSX Transportation, Inc., has granted the Trust for Public Land an option to acquire the Subject Line, once abandoned, for conversion to a trail extension of the existing "Legacy Trail." SGLR believes that this is a reasonable alternative public purpose for the right of way.

No local service has been provided on the Subject Line for over ten years. SGLR does not believe that there are any alternatives to the proposed action. At this time, SGLR intends to remove and reuse the track and signals. SGLR believes that the abandonment will not have a significant effect upon the environment.

ALL AGENCIES PER THE ATTACHED SERVICE LIST

August 4, 2017

Page 2

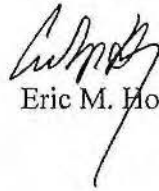
In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by September 5, 2017 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any 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) 640-8523.

Thank you for your cooperation.

Sincerely,

CLARK HILL PLC



Eric M. Hocky

EMH/dml

Enclosure

cc: Seminole Gulf Railway

AGENCY SERVICE LIST

Florida State Clearinghouse
2600 Blair Stone Rd.
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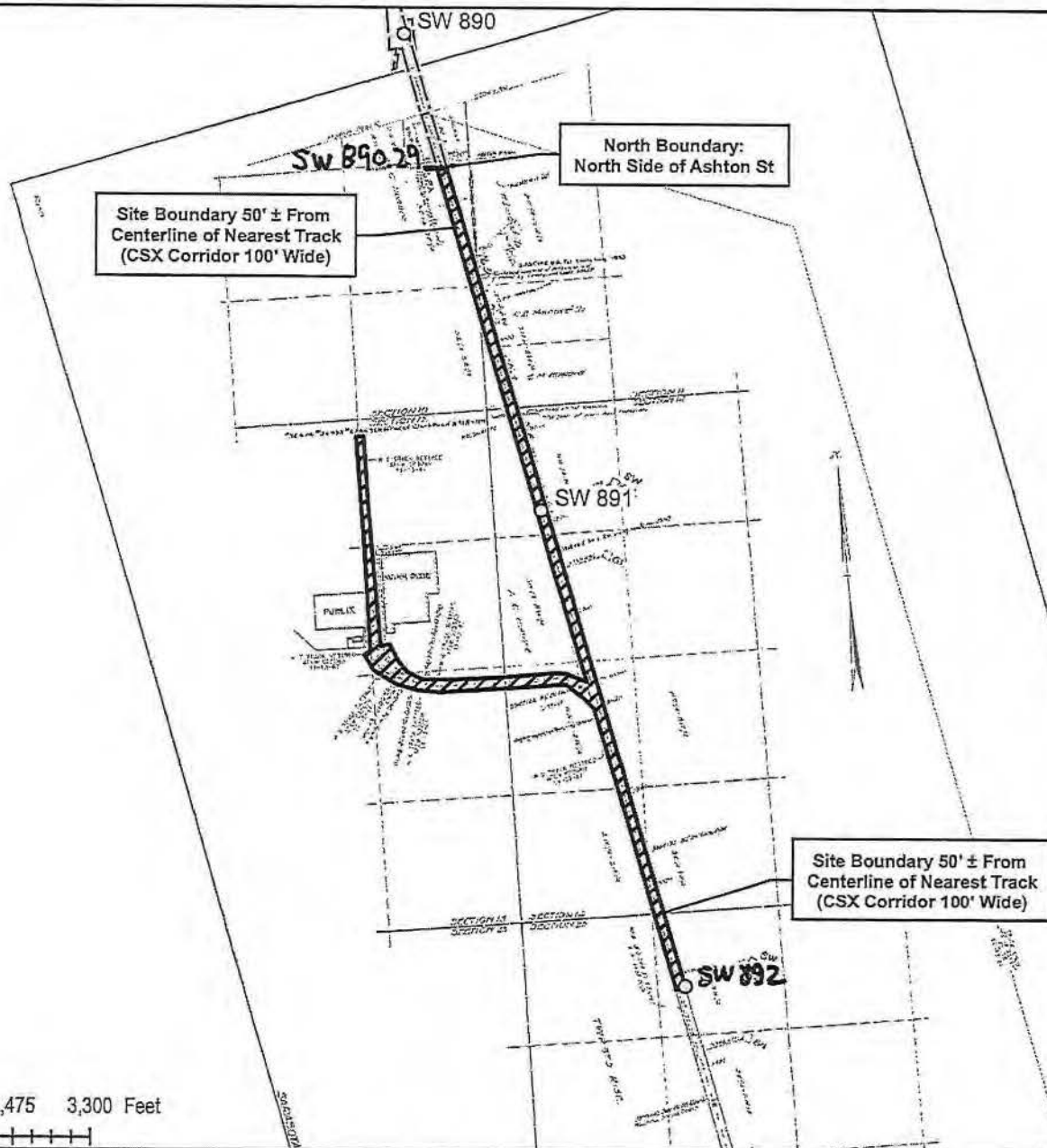
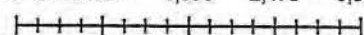
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SARASOTA COUNTY - BEE RIDGE, FL
MILEPOST: SW 890.27 - SW 892

DIVISION: JACKSONVILLE
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- Engineering Milepost
- Premises - 33.42 ± Acres
- CSX Real Estate

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August 4, 2017

Florida Department of Environmental
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Florida Coastal Office
3900 Commonwealth Blvd., MS 235
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SGLR plans to seek Surface Transportation Board ("STB") authorization for its abandonment through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or about October 6, 2017 in Surface Transportation Board Docket No. AB 400 (Sub-No. 6X).

Based upon information in SGLR's possession, the Subject Line does not contain federally granted rights of way. Any documentation in SGLR's possession will be made available promptly to those requesting it. SGLR, together with the underlying landowner CSX Transportation, Inc., has granted the Trust for Public Land an option to acquire the Subject Line, once abandoned, for conversion to a trail extension of the existing "Legacy Trail." SGLR believes that this is a reasonable alternative public purpose for the right of way.

Florida Department of Environmental Protection
August 4, 2017
Page 2

No local service has been provided on the Subject Line for over ten years. SGLR does not believe that there are any alternatives to the proposed action. At this time, SGLR intends to remove and reuse the track and signals. SGLR believes that the abandonment will not have a significant effect upon the environment.

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 Florida's coastal zone. If it is within the coastal zone, please advise further (1) if the proposed abandonment is an action listed for review in Florida'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 September 5, 2017. If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (215) 640-8523.

Thank you for your cooperation.

Sincerely,

CLARK HILL PLC



Eric M. Hocky

EMH/dml

Enclosure

cc: Seminole Gulf Railway

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04343-001

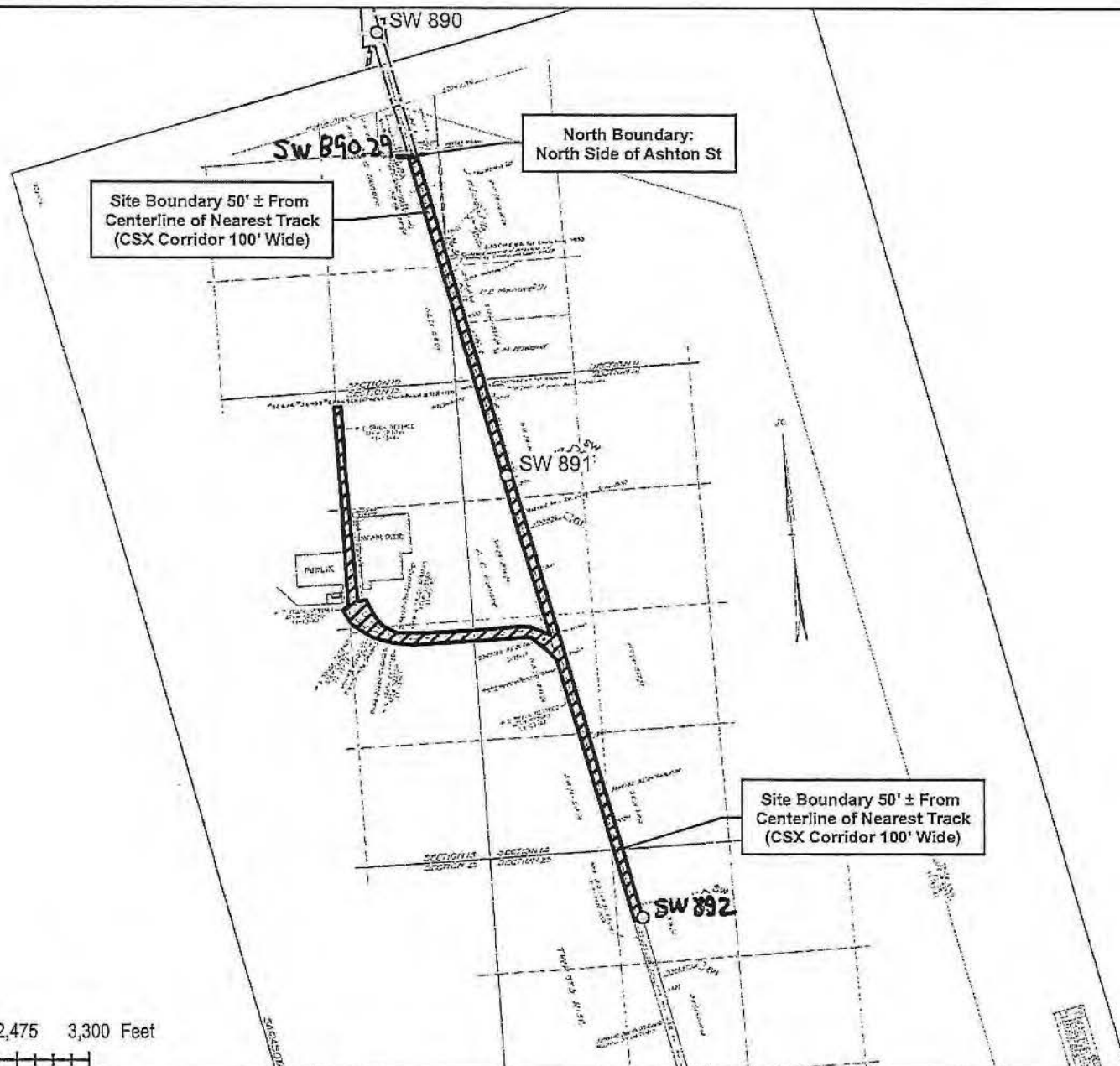
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August 4, 2017

Timothy A. Parsons, Ph.D, RPA
Division Director and State Historic
Preservation Officer
Florida Division of Historic Resources
R.A. Gray Building
500 South Bonough Street
Tallahassee, FL 32399-0250

Re: Seminole Gulf Railway, L.P. - Abandonment Exemption - In Sarasota County, FL
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Timothy A. Parsons, Ph.D, RPA
August 4, 2017
Page 2

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SGLR believes that the Subject Line was originally built by Seaboard Air Line Railway Company in approximately 1911. There are no known bridges or other structures on the Subject Line.

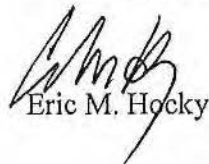
In advance of preparing an historic report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental or historic effects of the proposed abandonment.

We would appreciate an expression from you by September 15, 2017 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.

Sincerely,

CLARK HILL PLC



Eric M. Hocky

EMH/dml
Enclosure
cc: Seminole Gulf Railway

EXHIBIT A

GIS #
04343-001

INTEL #
V2FL124/17

PIN #
12115 0032



1" = 1,700'

0 412.5325 1,650 2,475 3,300 Feet

CSX TRANSPORTATION, INC.
SARASOTA TRAIL - SOUTH
SITE: FL-115-1081567
SARASOTA COUNTY - BEE RIDGE, FL
MILEPOST: SW 890.27 - SW 892

DIVISION: JACKSONVILLE
SUBDIVISION: PALMETTO
DATE: 07/14/2017
REVISED: 07/14/2017
DRAWN BY: V5180

- Engineering Milepost
-  Premises - 33.42 ± Acres
-  CSX Real Estate

THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.

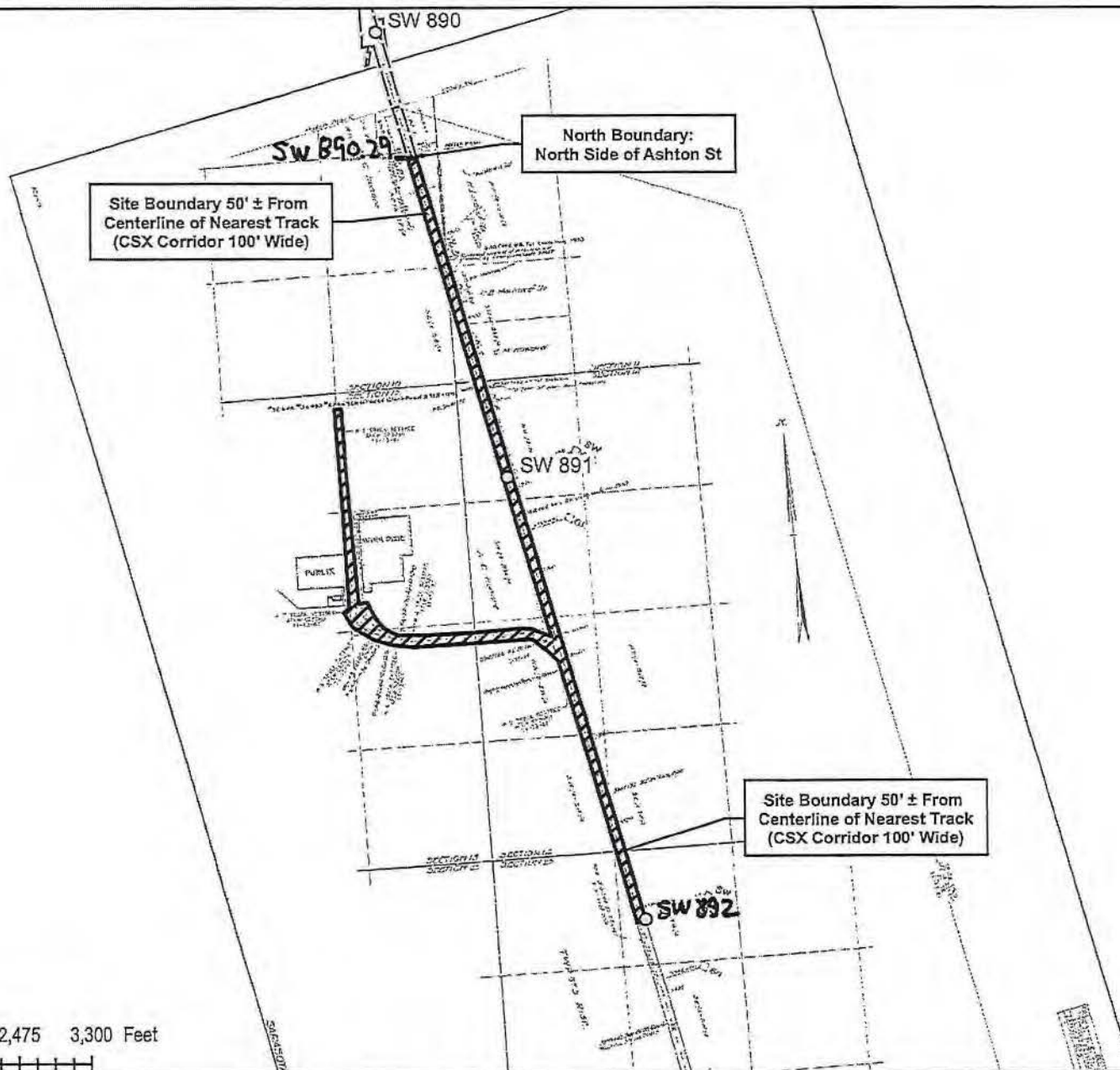


EXHIBIT C

AGENCY RESPONSES

Hocky, Eric M.

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Wednesday, August 9, 2017 1:49 PM
To: Hocky, Eric M.
Subject: Seminole Gulf Railray - Abandonment Exemption, Sarasota County, Florida

While it is covered by EO 12372, the Florida State Clearinghouse does not select the project for review. You may proceed with your project.

Please continue to send future electronic requests directly to the State Clearinghouse email address, State.Clearinghouse@dep.state.fl.us.

Good Luck.

Chris Stahl

Chris Stahl, Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
2600 Blair Stone Road, M.S. 47
Tallahassee, FL 32399-2400
ph. (850) 717-9076
State.Clearinghouse@dep.state.fl.us



Hocky, Eric M.

From: Walls, Beth <Walls.Beth@epa.gov>
Sent: Tuesday, August 29, 2017 11:27 AM
To: Hocky, Eric M.
Cc: Militscher, Chris
Subject: Seminole Gulf Railway Abandonment Exemption, STB Docket No. AB 400 (Sub. No. 6X)

Dear Mr. Hocky:

The U.S. Environmental Protection Agency is responding to an August 04, 2017, notice that Seminole Gulf Railway, L.P. (SGLR) proposes to abandon 1.71 miles of rail line (the Venice Branch) outside the City of Sarasota, Florida, because there has been no local service provided on this line for over 10 years. At this time, SGLR intends to remove and reuse the track and signals. SGLR and CSX Transportation, Inc., the land owner, have granted an option to the Trust for Public Land acquire this line to extend the existing Legacy Trail.

Of interest to the US EPA is for no impacts to air and water quality, wetlands, and the 100-year flood plain to occur. If so, then the appropriate Clean Air Act (CAA) and Clean Water Act (CWA) permits be obtained and mitigation be performed. The US EPA has delegated the federal CAA and CWA-related air/water-quality programs to Florida Department of Environmental Protection (FLDEP), subject to its oversight. SGLR indicates it has notified the appropriate FLDEP Programs and the U.S. Army Corps of Engineers regarding this proposed action. SGLR believes the proposed abandonment will have no significant environmental effect. Based upon the information provided, the US EPA has no further comments or concerns.

Sincerely,

Beth Walls,
Physical Scientist
NEPA Program Office
US EPA, Region 4
404-562-8309



United States Department of Agriculture

August 21, 2017

Eric M. Hocky
Clark Hill PLC
One Commerce Square
2005 Market Street, Suite 1000
Philadelphia, PA 19103

Dear Mr. Hocky:

This is in reference to your request for review of the proposed abandonment of the Seminole Gulf Railway, L.P., Venice Branch segment as described in your letter dated August 4, 2017. The USDA Natural Resources Conservation Service assists America's agricultural producers and other private landowners with conserving their soil, water and other natural resources through voluntary programs and technical assistance. The agency also administers the federal Farmland Protection Policy Act (FPPA), which is intended to minimize the impact federal programs have on the conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government and private programs and policies to protect farmland.

Based on the agency's mission focus, we have no comments on this project; however, if federal funding will be used for this project, it may be subject to the FPPA. It is the responsibility of the federal agency funding the project to decide if farmland subject to FPPA requirements will be converted to non-agricultural uses in the course of certain activities. Activities not subject to FPPA include:

- Projects on land already in urban development or used for water storage.
- Loans to renovate existing structures.
- Construction within an existing right-of-way purchased on or before Aug. 4, 1984.
- Construction for national defense purposes.
- Construction of on-farm structures needed for farm operations.
- Surface mining, where restoration to agricultural use is planned.
- Construction of new minor secondary structures such as a garage or storage shed.

Based on the information provided, we are unable to determine if the activity is subject to the FPPA. To assist us with this determination, please follow the instructions found at:

<http://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/fl/soils/?cid=stelprdb1101661>. Refer to the map of Florida counties containing prime, unique, or locally important farmland at

http://www.nrcs.usda.gov/Internet/FSE_MEDIA/nrcs141p2_014775.jpg. If the project is not in one of the identified counties, digital format is not necessary for submittal of project boundary information.

If you have any questions on FPPA applicability or procedures, contact Rick Robbins at rick.robbs@fl.usda.gov or 352-338-9536. For any other questions, please contact me at 352-338-9582. Thank you for the opportunity to comment.

Sincerely,

ROSALIND
MOORE

Digitally signed by
ROSALIND MOORE
Date: 2017.08.21 16:48:17
-04'00'

Rosalind Moore
Environmental Compliance Specialist

Natural Resources Conservation Service
2614 NW 43rd Street, Gainesville, FL 32606
An Equal Opportunity Provider and Employer



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Mr. Eric M. Hocky
Clark Hill PLC
2005 Market Street, Suite 1000
Philadelphia, PA 19103

September 13, 2017

RE: DHR Project File No.: 2017-3832-B, Received by DHR: August 7, 2017, Additional Information Received: September 7, 2017
Project: *Seminole Gulf Railway, L.P. - Abandonment Exemption - in Sarasota County, FL Surface Transportation Board Docket No. AB 400 (Sub. No. 6X)*
County: Sarasota

Mr. Hocky:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, on the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

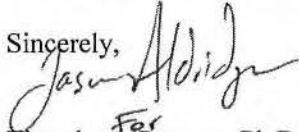
A review of the Florida Master Site File (FMSF) indicates that most of the proposed project area has not been surveyed for archaeological and historical properties. A linear resource, Seaboard Air Line Railway (8SO2622), was recorded during a 2005 survey (FMSF # 14992), which included part of the southern extent of the proposed project area. Since conditions in the area are favorable for the presence of these kinds of resources, we request that the unsurveyed portions of the project area be subjected to a professional cultural resources assessment survey. The resultant survey report should conform to the provisions of Chapter 1A-46, *Florida Administrative Code*, and should be sent to our office upon completion. The report will help us complete the Section 106 review process and provide concurrence on federal determinations of effect, and recommend any necessary avoidance or mitigation measures.

The Division of Historical Resources cannot endorse specific archaeological or historic preservation consultants. However, the American Cultural Resources Association maintains a listing of professional consultants at www.acra-crm.org, and the Register of Professional Archaeologists maintains a membership directory at www.rpanet.org. The Division encourages checking references and recent work history.

Clark Hill PLC
September 13, 2017
Page 2

If you have any questions, please contact Mercedes Harrold, Historic Preservationist, by email at *Mercedes.Harrold@dos.myflorida.com*, or by telephone at 850.245.6342 or 800.847.7278.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy A. Parsons". The signature is fluid and cursive, with the first name "Timothy" being more prominent.

Timothy A. Parsons, Ph.D., RPA

Director, Division of Historical Resources & State Historic Preservation Officer

EXHIBIT D

NEWSPAPER NOTICE

Notice of Intent To Abandon

Seminole Gulf Railway, L.P. (SGLR) gives notice that on or about October 16, 2017, it intends to file with the Surface Transportation Board (Board), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F – Exempt Abandonments, permitting the abandonment of a segment of its line of railroad known as the Venice Branch extending between Milepost SW 890.29 and Milepost SW 892.00, a portion of Bee Ridge Station outside of the City of Sarasota in Sarasota County, Florida (the “Subject Line”) that traverses through United States Postal Service ZIP Codes 34233 and 34238, a distance of 1.71 miles, entirely in Sarasota County, Florida. The Subject Line includes the station of Bee Ridge at Milepost SW 888.7. The proceeding will be docketed as No. AB 400 (Sub-No. 6X).

The Board’s Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public, and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis, Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001 or by calling that office at (202) 245-0291.

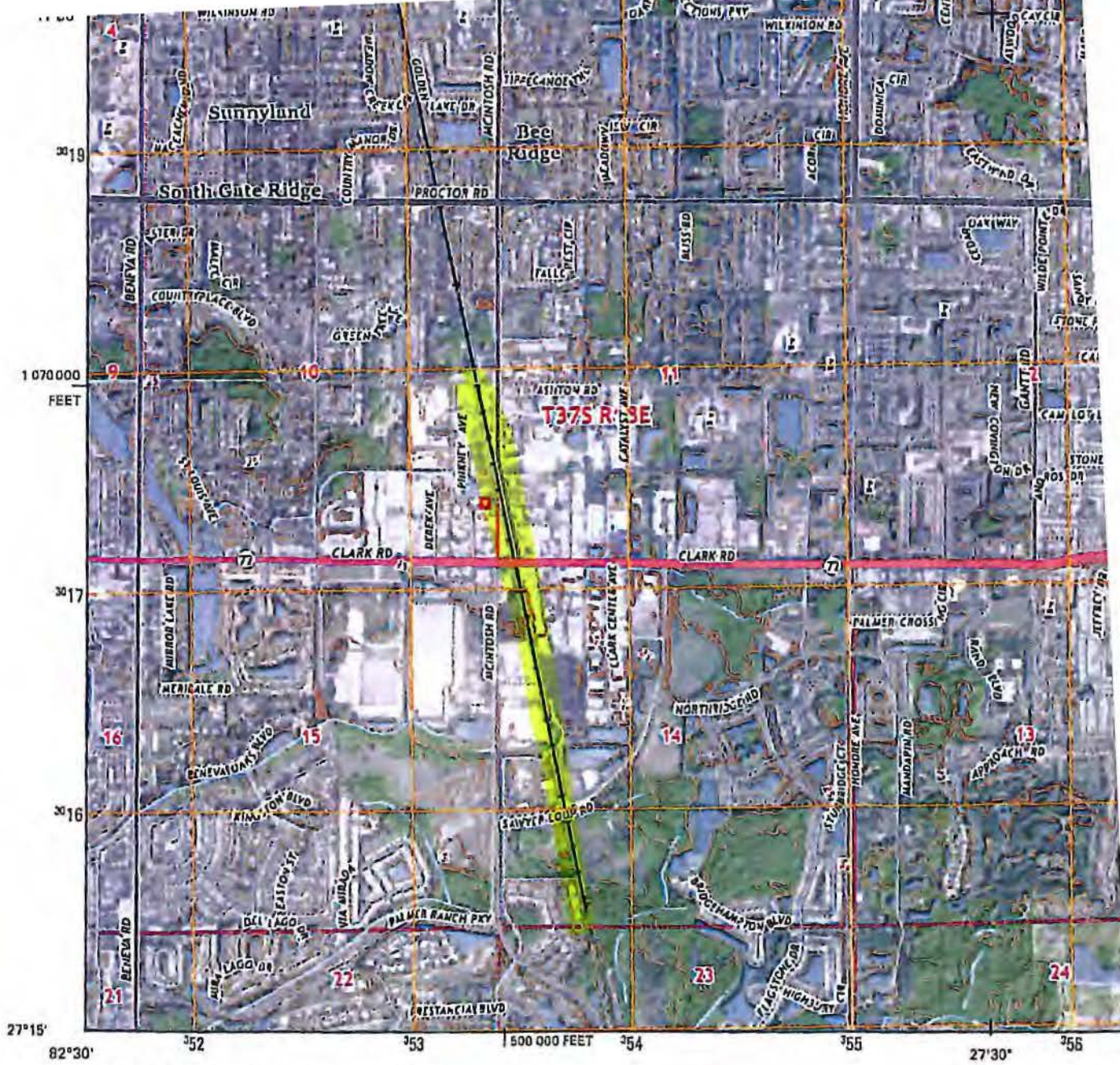
Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings, Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on SGLR’s representative [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Eric M. Hocky, Esquire, Clark Hill PLC, One Commerce Square, 2005 Market Street, Suite 1000, Philadelphia, PA 19103; (215) 640-8500.

EXHIBIT E

TOPOGRAPHICAL MAPS



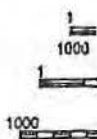
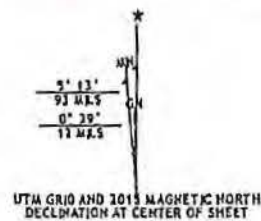
- Subject Line



Produced by the United States Geological Survey
 North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84). Projection and
 1 000-meter grid: Universal Transverse Mercator, Zone 17R
 10 000-foot ticks: Florida Coordinate System of 1983 (west zone)

This map is not a legal document. Boundaries may be
 generalized for this map scale. Private lands within government
 reservations may not be shown. Obtain permission before
 entering private lands.

Imagery.....NAIP, June 2013
 Roads.....HERE, ©2013 - 2014
 Names.....GNIS, 2015
 Hydrography.....National Hydrography Dataset, 2013
 Contours.....National Elevation Dataset, 2010
 Boundaries.....Multiple sources; see metadata file 1972 - 2015
 Public Land Survey System.....BLM, 2015



- Subject Line

EXHIBIT F

PHOTOGRAPHS OF RIGHT OF WAY







