

CLARK HILL

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 GRANTED Office of Proceedings	DECISION ID NO. 46921
	DECIDED DATE: 3/22/2019
	SERVED DATE: 3/22/2019
	APPROVED: <i>AucDi</i> Acting Director
Subject to supplemental filing ☒ confirming newspaper publication.	

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March 18, 2019

247295

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

ENTERED
Office of Proceedings
March 18, 2019
Part of
Public Record

Re: Seminole Gulf Railway, L.P. - Exempt Abandonment -
In Sarasota County, Florida
STB Docket No. AB 400 (Sub-No. 7X)
Errata and Request to Hold Notice in Abeyance

Dear Ms. Brown:

Seminole Gulf Railway, L.P. ("SGLR") has been advised that there was a typographical error in its Notice of Exemption filed with the Board on March 8, 2019 (and the previously filed environmental and historic report) in the listing of the ZIP Codes through which the Subject Line passes. The notice erroneously described that the "Subject Line traverses through United States Postal Service ZIP Codes 34232, 24233 and 34237," and instead should have described that the "Subject Line traverses through United States Postal Service ZIP Codes 34232, 34233 and 34237." SGLR requests that the Board accept this correction in all filings made to date in this proceeding.

Although the error was inadvertent, (a) on March 15, 2019, SGLR sent a revised advanced notice letter to the parties required under 49 CFR 1152.50(d), and (b) SGLR has made arrangements to publish in the *Sarasota Herald Tribune* on March 20, 2019, a revised notice as required under 49 CFR 1105.12. Copies of the revised advance notice letter and the form of revised newspaper notice are attached to this letter as Exhibits A and B. (SGLR will submit a copy of the proof of publication when it is available.

Cynthia T. Brown
March 18, 2019
Page 2

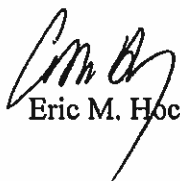
SGLR requests that the Board hold its notice of exemption and this proceeding in abeyance until March 25, 2019, to allow the required notice periods to be satisfied. Holding the proceeding in abeyance until March 25, 2019, will extend the effective date of the proposed abandonment exemption until May 14, 2019.

SGLR is giving notice of the errata and the request for the proceeding to be held in abeyance to all persons who were served with a copy of the Notice of Exemption.

Please let us know if there are any questions regarding this filing.

Respectfully,

CLARK HILL PLC



Eric M. Hocky

EMH/e

cc: All persons shown on the attached certificate of service

SERVICE LIST – DOCKET No. AB 400 (Sub-No. 7X)

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
Attn: Christopher A. Militscher
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
Attn: John W. Wrublik
1339 20th Street
Vero Beach, FL 32960

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

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

Florida Department of Environmental
Protection
Florida Coastal Office
3900 Commonwealth Blvd., MS 235
Tallahassee, FL 32399-3000

United States Department of the Army
Military Surface Deployment and Distribution
Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National
Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

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

County Historic Resources Officer
Sarasota County Historic Resources
6062 Porter Way
Sarasota, FL 34232

Office of Chief of Forest Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111

U.S. Department of the Interior -
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

EXHIBIT A

CLARK HILL

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March 15, 2019

To: All Persons on the Attached Service List

Re: STB Docket No. AB 400 (Sub-No. 7X)
Seminole Gulf Railway, L.P. -
- Abandonment Exemption -
In Sarasota County, FL
Revised Notice

Dear Sir or Madam:

This is a revised version of the notice originally sent to you by letter dated February 19, 2019, to correct the ZIP Code description.

This letter is being sent to you pursuant to the requirements of 49 C.F.R. §1152.50(d), to advise you that Seminole Gulf Railway, L.P. ("SGLR") filed 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 on the north side of Ashton Road and Milepost SW 884.70, and between Milepost AZA 930.30 and Milepost AZA 928.21 located at the north side of State Highway 780 (Fruitville Road), partly within the City of Sarasota, and partly outside the City (the "Subject Line"). The Subject Line traverses through United States Postal Service ZIP Codes 34232, 34233 and 34237, a total distance of 7.68 miles, entirely in Sarasota County, Florida. A map of the Subject Line is enclosed with this letter.

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 landowners CSX Transportation, Inc. and its affiliate The Atlantic Land and Improvement Company, have granted the Trust for Public Land an option to acquire the Subject Line, once approved for abandonment,

To: All Persons on the Attached Service List
March 15, 2019
Page 2

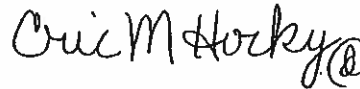
for conversion to a trail extension of the existing "Legacy Trail." SGLR believes that this is a reasonable alternative public purpose for the right of way.

SGLR intends to salvage and reuse the track and track materials elsewhere on its system to the extent possible. All salvage activities will take place within the right of way of the Subject Line.

SGLR filed its notice of exemption with the STB on March 8, 2019. SGLR will be requesting that its filing be held in abeyance until March 25, 2019, to allow corrective notices to be provided.

Respectfully,

CLARK HILL, PLC

A handwritten signature in cursive script that reads "Eric M. Hocky" followed by a circled "e".

Eric M. Hocky

EMH/e
Enclosure

**Advance Notice Service List for
STB Docket No. AB 400 (Sub-No. 7X)**

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

United States Department of the Army
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

U.S. Department of the Interior -
National Park Service
RTCA Program
1849 C Street, NW
Washington, DC 20240

Office of Chief of Forest Service
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, DC 20250-1111

EXHIBIT "A" Phase 2

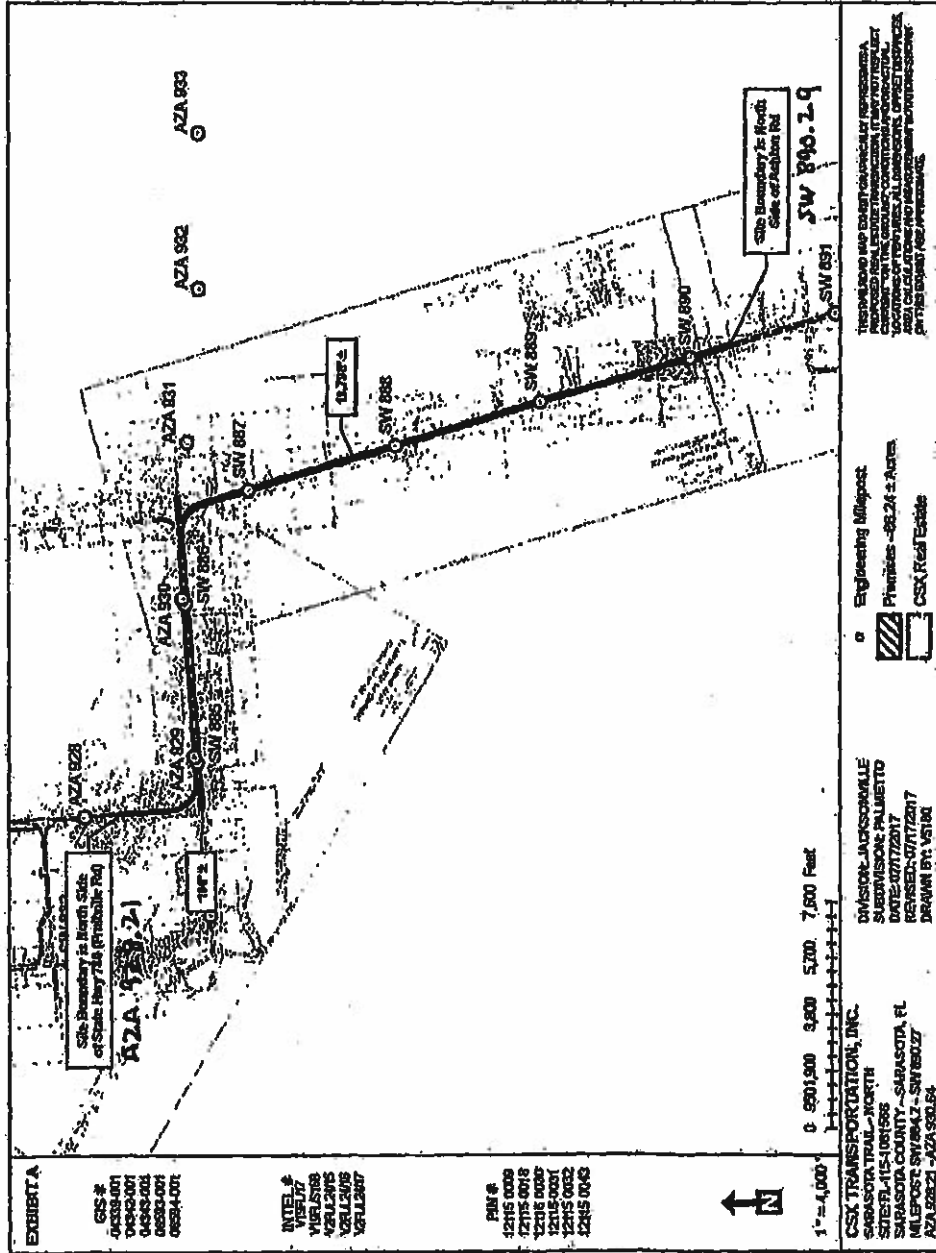


EXHIBIT B

STB Docket No. AB 400 (Sub-No. 7X)

REVISED Notice of Intent To Abandon

This is a revised version of a Notice originally published on February 12, 2019, to correct the ZIP Code description.

Seminole Gulf Railway, L.P. (SGLR) gives notice that on or about March 7, 2019, it filed 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 on the north side of Ashton Road and Milepost SW 884.70, and between Milepost AZA 930.30 and Milepost AZA 928.21 on the north side of State Highway 780 (Fruitville Road), partly within the City of Sarasota, and partly outside the City, (the “Subject Line”) that traverses through United States Postal Service ZIP Codes 34232, 34233 and 34237, a total distance of 7.68 miles, entirely in Sarasota County, Florida. **SGLR will be requesting that its filing be held in abeyance until March 25, 2019, to allow corrective notices to be provided.** The proceeding will be docketed as No. AB 400 (Sub-No. 7X).

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.