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

lgitomer@dc.bjllp.com

August 26, 2005



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 658X), *CSX Transportation, Inc.*–
Abandonment Exemption—in Hall County, GA

Dear Secretary Williams:

Enclosed are the original and 10 copies of a Petition for Exemption for abandonment in the above-entitled proceeding and a check for the filing fee of \$5,200. Also enclosed is a computer diskette containing the Petition.

Please time and date stamp the additional copy of this letter and the Petition and return them with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours

ENTERED
Office of Proceedings

AUG 29 2005

Part of
Public Record

Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

Enclosures

FILED

AUG 23 2005

SURFACE
TRANSPORTATION BOARD

FEE RECEIVED

AUG 26 2005

SURFACE
TRANSPORTATION BOARD

ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No. 658X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN HALL COUNTY, GEORGIA



PETITION FOR EXEMPTION

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SURFACE
TRANSPORTATION BOARD

Donna W. Melton, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1247

Louis E. Gitomer, Esq.
Ball Janik, LLP
1455 F Street, NW, Suite 225
Washington, DC 20005
(202) 638-3307

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: August 26, 2005

FILED
AUG 26 2005
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No. 658X)

CSX TRANSPORTATION, INC. –ABANDONMENT EXEMPTION–
IN HALL COUNTY, GEORGIA

PETITION FOR EXEMPTION

CSX Transportation, Inc. (“CSXT”) petitions the Surface Transportation Board (“STB”) to exempt, under 49 U.S.C. § 10502, CSXT’s abandonment of a 0.85-mile rail line from the prior approval requirements of 49 U.S.C. § 10903.

PROPOSED TRANSACTION

CSXT proposes to abandon the 0.85-mile rail line portion of its Southern Region, Atlanta Division, Gainesville Midland Subdivision, in Gainesville between milepost GGM 39.2 and the end of track, milepost GGM 40.05, all in Hall County, GA. The Line traverses Zip Code 30501, and is within the station of Gainesville, GA, OPSL 28010.

Maps of the Line are attached as Exhibit A. The Environmental Report is in Exhibit B and the Historic Report is in Exhibit C. Exhibit D contains the Federal Register notice, Exhibit E contains the certificate of publication, and Exhibit G contains the certificate of service.

Based on information in CSXT’s possession, the Line does not contain any federally granted right-of-way. Any documentation in CSXT’s possession concerning title will be made available to those requesting it.

LACK OF TRAFFIC SUPPORTS ABANDONMENT

No traffic has moved on the Line since June 2004. Prior to that time, there were two active shippers on the Line.

In Gainesville, GA, LaFarge Building Materials (“Lafarge”) received 23 carloads of lumber in 2002, four carloads of lumber in 2003, and two carloads of lumber in 2004. Lafarge received its last shipment on January 17, 2004 and no longer uses rail service from Gainesville. A letter from Lafarge not opposing the abandonment is attached as Exhibit F.

MGM Transport (“MGM”) of Gainesville, GA stopped using the Line on June 5, 2004. MGM received 39 carloads of lumber in 2002, 53 carloads of lumber in 2003 and 20 carloads of lumber in 2004.

CSXT does not expect any rail oriented business to develop on the Line. There is no overhead traffic on the Line because the Line is a stub-end. There is no demand for CSXT service on the Line. This petition has been served on Lafarge and MGM.

CSXT is engaged in negotiations with the City of Gainesville for the post-abandonment sale of the Line’s right-of-way for public use and development.

Because there are no customers on the Line, CSXT is not generating any revenue from rail operations on the Line. However, CSXT continues to incur costs from maintaining the Line. As there is no revenue from operations on the Line, CSXT is not covering its opportunity costs for the Line. CSXT plans to sell the real estate to the City of Gainesville and reuse or sell for scrap the rail and other track material.

CSXT has not been advised of any opposition to the abandonment, and does not expect any opposition.

ARGUMENT SUPPORTING THE ABANDONMENT

CSXT seeks an exemption under 49 U.S.C. § 10502 from the applicable requirements of 49 U.S.C. § 10903 in order to abandon this unused 0.85-mile line of railroad.

Under 49 U.S.C. § 10502, the STB must exempt a transaction from regulation when it finds that:

(1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and

(2) either:

(a) the transaction is of limited scope, or

(b) regulation is not necessary to protect customers from the abuse of market power.

The legislative history of Section 10502 reveals a clear Congressional intent that the STB should liberally use its exemption authority to free certain transactions from the administrative and financial costs associated with continued regulation. In enacting the Staggers Rail Act of 1980, Pub. L. No. 96-488, 94 Stat. 1895, Congress encouraged the STB's predecessor agency to liberally use the expanded exemption authority under former Section 10505:

The policy underlying this provision is that while Congress has been able to identify broad areas of commerce where reduced regulation is clearly warranted, the Commission is more capable through the administrative process of examining specific regulatory provisions and practices not yet addressed by Congress to determine where they can be deregulated consistent with the policies of Congress. The conferees expect that, consistent with the policies of this Act, the Commission will pursue partial and complete exemption from remaining regulation.

H.R. Rep No. 1430, 96 the Cong. 2d Sess. 105 (1980). See also *Exemption From Regulation--Boxcar Traffic*, 367 I.C.C. 424, 428 (1983), vacated and remanded on other grounds, *Brae Corp. v. United States*, 740 F.2d 1023 (D.C. Cir 1984). Congress reaffirmed this policy in the

conference report accompanying the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which re-enacted the rail exemption provision as Section 10502. H.R. Rep. No. 422, 104th Cong., 1st Sess. 168-69 (1995).

A. The Application of 49 U.S.C. § 10903 Is Not Necessary to Carry Out the Rail Transportation Policy

Detailed scrutiny of this transaction is not necessary to carry out the rail transportation policy. An exemption would minimize the unnecessary expense associated with the preparation and filing of a formal abandonment application, expedite regulatory decisions and reduce regulatory barriers to exit. 49 U.S.C. § 10101 (2) and (7). By abandoning the Line, CSXT will be able to avoid maintenance costs and opportunity costs for a line of railroad with no prospects for railroad use. Granting this exemption, therefore, fosters sound economic conditions and encourages efficient management by permitting the rationalization of an unnecessary rail line. 49 U.S.C. § 10101 (3), (5) and (9). CSXT is negotiating to sell the right-of-way to the City of Gainesville upon abandonment. Other aspects of the rail transportation policy are not adversely affected. For example, competition and the continuation of a sound rail transportation system are not affected since the public will not be deprived of any needed rail services.

B. This Transaction Is Of Limited Scope

The proposed transaction is of limited scope. CSXT seeks to abandon its 0.85-mile line. The length of the Line, its limited geographic area (one county in one State), and the limited use made of the Line, all demonstrate the limited scope of CSXT's proposed abandonment.

C. This Transaction Will Not Result In An Abuse Of Market Power

There is no freight traffic, either local or overhead, on the Line. The last customer on the Line stopped using rail service in June 2004. Hence, there are no customers on the Line that can be subjected to the abuse of market power by CSXT.

ENVIRONMENTAL REPORT

The Environmental Report containing the information required by 49 C.F.R. § 1105.7 is attached hereto as Exhibit B.

HISTORIC REPORT

The Historic Report containing the information required by 49 C.F.R. § 1105.8 is attached hereto as Exhibit C.

FEDERAL REGISTER NOTICE

The Federal Register notice is attached in Exhibit D.

LABOR PROTECTION

The interests of railroad employees of CSXT who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co.--Abandonment--Goshen*, 360 I.C.C. 91 (1979).

CONCLUSION

Application of the regulatory requirements and procedures of 49 U.S.C. §§ 10903 and 10905 is not required to carry out the rail transportation policy set forth in 49 U.S.C. § 10101, as previously shown. Nor is STB regulation required to protect customers from the abuse of market power. Moreover, this abandonment is of limited scope. Accordingly, CSXT respectfully requests the STB to grant the proposed exemption of the abandonment of the 0.85-mile Line from the provisions of 49 U.S.C. § 10903.

Respectfully Submitted,

Donna W. Melton, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1247

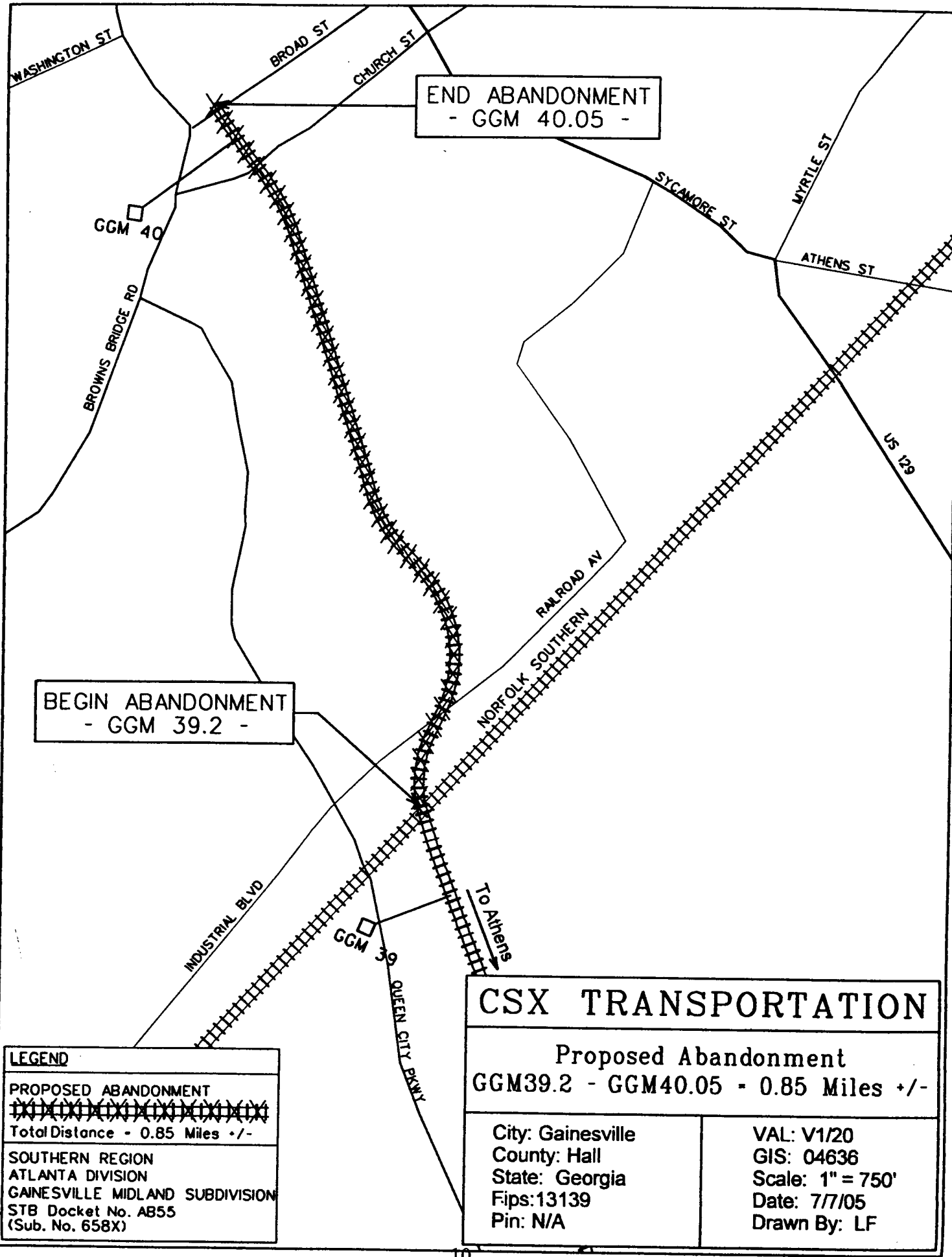


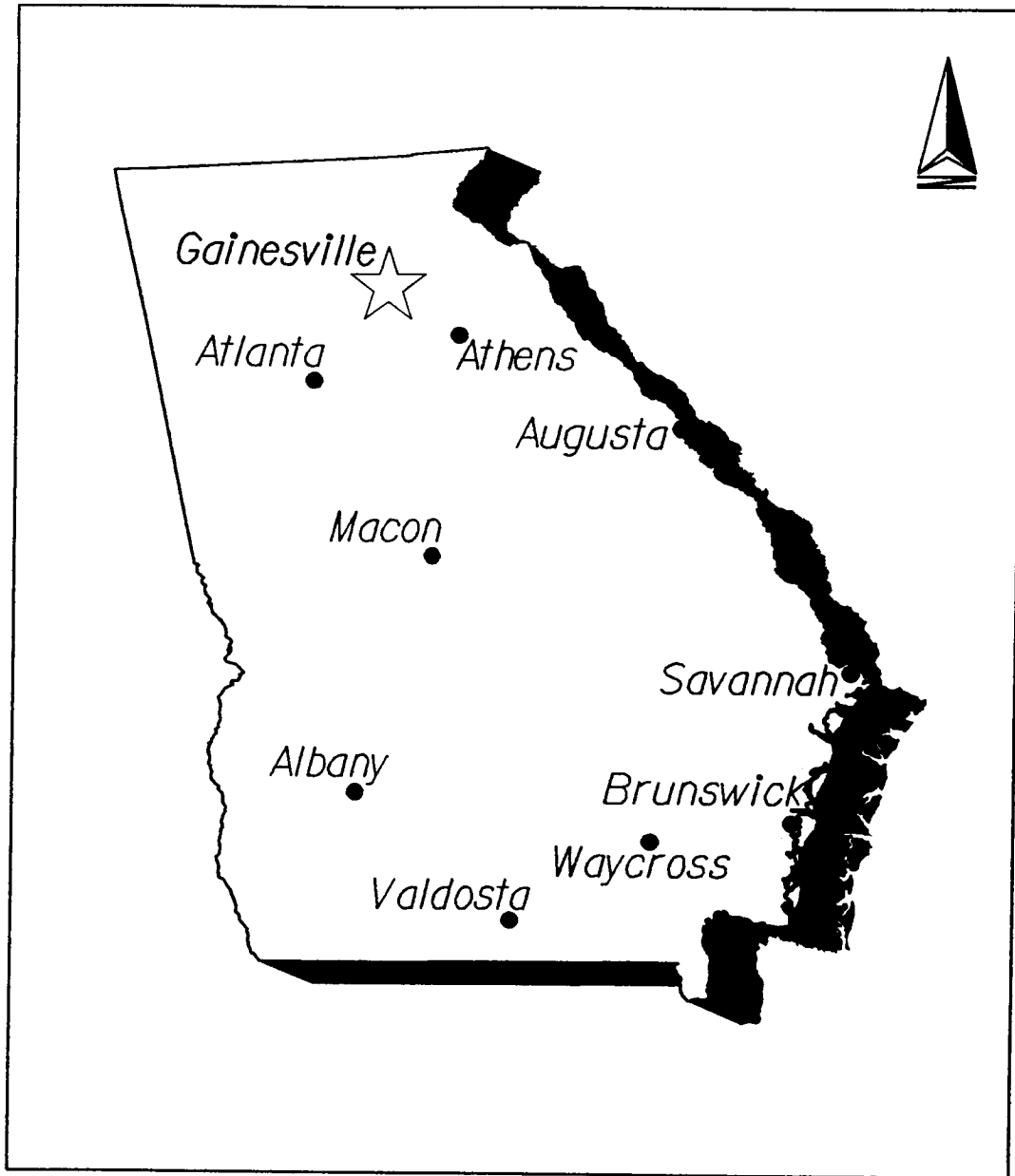
Louis E. Gitomer, Esq.
Ball Janik, LLP
1455 F Street, NW, Suite 225
Washington, DC 20005
(202) 638-3307

Attorneys for:
CSX TRANSPORTATION, INC.

Dated: August 26, 2005

EXHIBIT A-MAP





AREA MAP

Proposed Abandonment of 0.85 Miles +/-
STB Docket No. AB 55 - Sub. No. 658X
Hall County, Georgia

SOUTHERN REGION - ATLANTA DIVISION - GAINESVILLE MIDLAND SUBDIVISION

EXHIBIT B—ENVIRONMENTAL REPORT

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC.

DOCKET AB-55 (SUB-NO. 658X)

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

(1) PROPOSED ACTION AND ALTERNATIVES

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

CSX Transportation (CSXT) proposes to abandon 0.85 mile of rail line between from Railroad Milepost GGM 39.2 to the end of track at Railroad Milepost GGM 40.05 in Gainesville, Hall County, Georgia. This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a post-abandonment real estate transaction with Hall County.

Attached is a non-opposition letter from Lafarge North America. (See Attachment 1.)

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

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

Two maps, which delineate the proposed project, are attached. (See Attachments 2 and 3.)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

There is no CSXT passenger or freight traffic on this line. There will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

Applicant received a response dated August 4, 2005 from the City of Gainesville Planning Commission stating *"...the purchase and subsequent redevelopment of the CSX property in Midtown Gainesville has been a key component of the City's land use planning efforts for several years. Furthermore, the abandonment appears to be in conformance with all plans, including land use, for the City."* (See Attachment 4.)

Applicant has not received a response to its inquiry dated July 15, 2005 to the Hall County Planning Commission and the City of Gainesville Planning Commission seeking information regarding this statement. (See Attachments 5 and 6.)

Based on the fact that the line is currently being negotiated for a potential post-abandonment sale to the County, Applicant believes the proposed action is not inconsistent with local land use plans.

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

Applicant received a response dated August 17, 2005 from the U.S. Department of Agriculture, Natural Resources Conservation Service for Hall County stating *"...there is no Prime or Statewide important farmland in the area you have designated for rail abandonment."* (See Attachment 7.)

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

Applicant has not received a response to its inquiry dated July 15, 2005 to the Coastal Resources Division, Department of Natural Resources in Brunswick, Georgia seeking information regarding this statement. (See Attachment 8.)

Since the proposed action is the simple removal of rail, crossties and possibly the upper layer of ballast, Applicant believes that the proposed action will not have an adverse impact on land or water uses within any designated coastal zone.

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

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

(4) ENERGY

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

Since this line has not been needed or used in recent years for the transportation of coal, Applicant does not anticipate any adverse impact on the future transportation of energy resources.

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

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

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

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

- (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

There will be no diversion of rail traffic to motor carriage.

(5) AIR

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

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

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

Applicant believes that the abandonment will result in improvement to public safety by the elimination of thirteen (13) road crossings.

- (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

Not applicable.

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

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

(8) BIOLOGICAL RESOURCES

- (i) Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant received a response dated July 21, 2005 to its inquiry of July 15, 2005, to the U. S. Department of the Interior, Fish and Wildlife Service in Brunswick, Georgia, stating "Based on available information, federally listed species are not likely to occur on the project site." (See Attachment 9.)

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

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

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

(9) WATER

- (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.**

Applicant received a response dated August 11, 2005 from the U.S. Environmental Protection Agency Regional Office in Atlanta, Georgia stating *"Please be aware that this activity would be subject to the requirements of the Clean Water Act (CWA)..."* the letter further states *"Based on the information provided with your letter, it appears that this activity is not subject to NPDES permitting requirements."* (See Attachment 11.)

Applicant has not received a response to its inquiry of July 15, 2005 to the U.S. Environmental Protection Agency State Office in Atlanta, Georgia, requesting information regarding this statement. (See Attachment 10.)

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

- (ii) **Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.**

Applicant has not received a response to its inquiry of July 15, 2005 to the U.S. Army Corps of Engineers in Savannah, Georgia, requesting information regarding this statement. (See Attachment 12.)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

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

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

Applicant has not received a response to its inquiry of July 15, 2005 to the U.S. Environmental Protection Agency State Office Atlanta, Georgia, requesting information regarding this statement. (See Attachment 10.)

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

10. MITIGATION

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

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this abandonment. However, Applicant will comply with State and Federal regulations and obtain any necessary permits required.



AGGREGATES & CONCRETE

April 6, 2005

Ms. Bobbie League
AVP – Network Rationalization
CSXT Transportation, Inc. – J200
500 Water Street, J200
Jacksonville, FL 32202

Dear Ms. League:

Lafarge Building Material has been advised that CSX Transportation intends to seek approval from the Surface Transportation Board to abandon a portion of the railroad's operation in Gainesville, GA.

We will not oppose the abandonment.

We understand that you may submit this letter to the Surface Transportation Board as part of the proceedings on the proposed abandonment.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Marsh'.

David R. Marsh
VP & General Manager, Southeast Masonry Products
Vice President, Business Development, Southeast LCM

END ABANDONMENT
- GGM 40.05 -

BEGIN ABANDONMENT
- GGM 39.2 -

CSX TRANSPORTATION

Proposed Abandonment
GGM39.2 - GGM40.05 - 0.85 Miles +/-

City: Gainesville
County: Hall
State: Georgia
Fips:13139
22 Pin: N/A

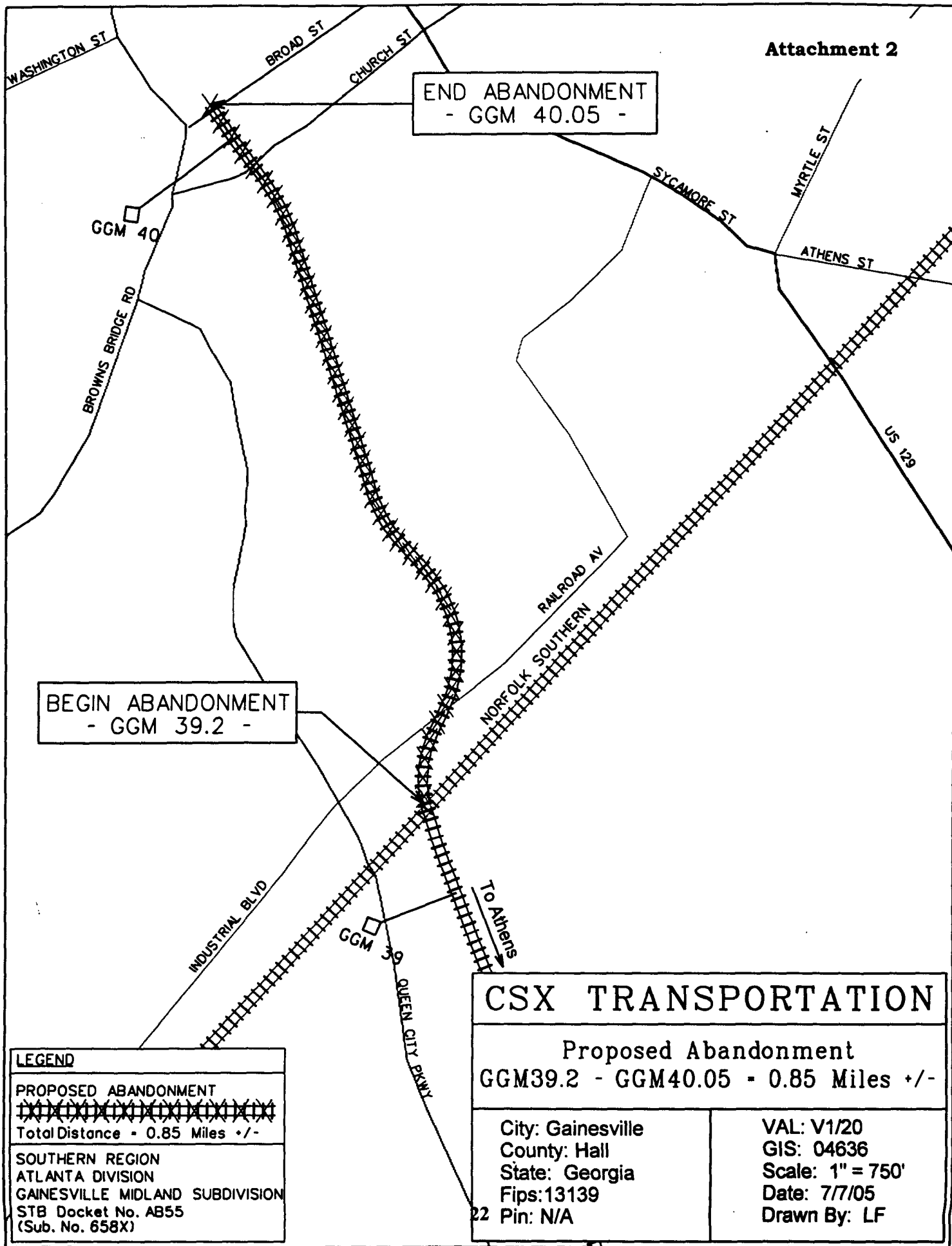
VAL: V1/20
GIS: 04636
Scale: 1" = 750'
Date: 7/7/05
Drawn By: LF

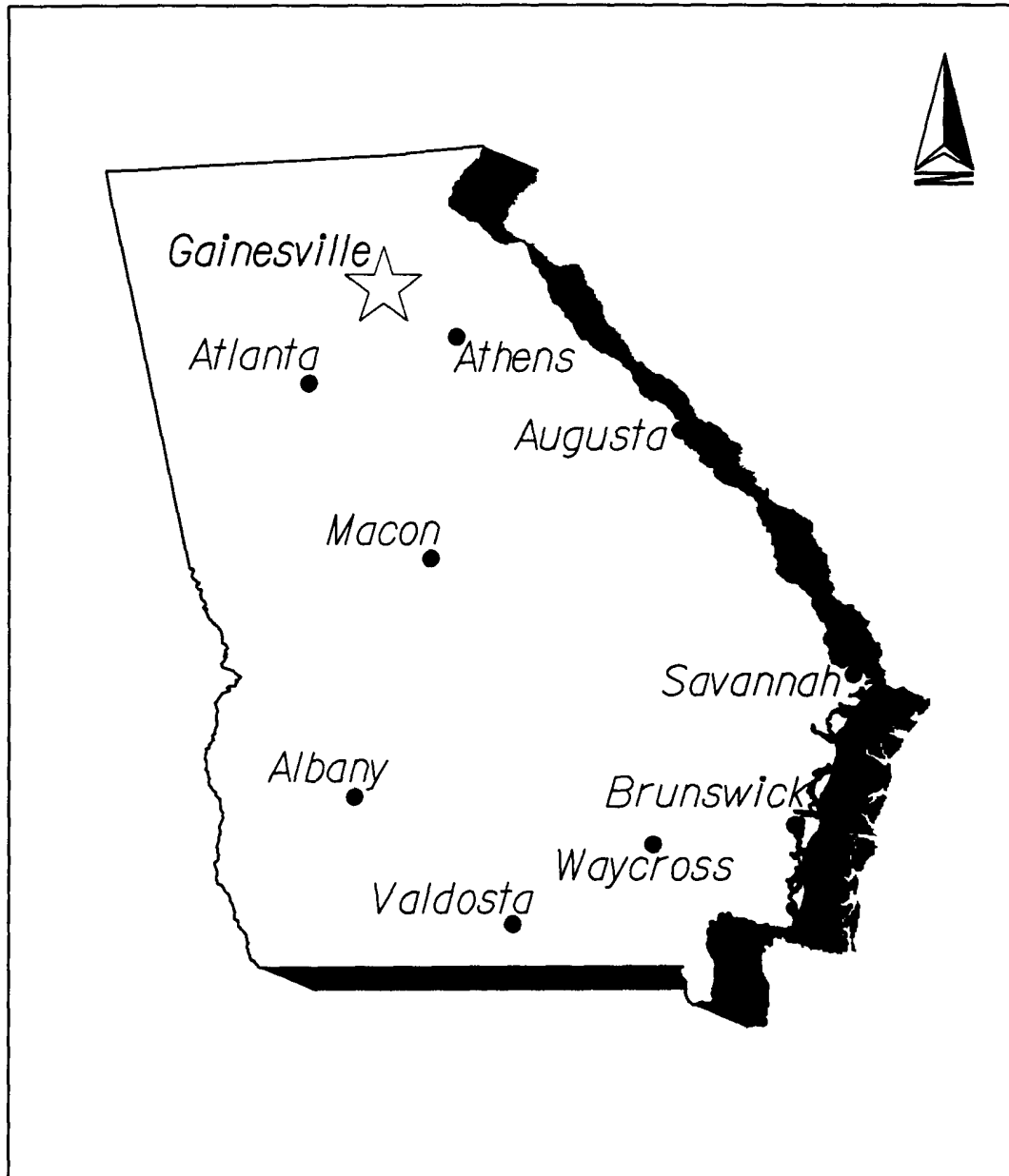
LEGEND

PROPOSED ABANDONMENT

XXXXXX
Total Distance - 0.85 Miles +/-

SOUTHERN REGION
ATLANTA DIVISION
GAINESVILLE MIDLAND SUBDIVISION
STB Docket No. AB55
(Sub. No. 658X)





AREA MAP

Proposed Abandonment of 0.85 Miles +/-
STB Docket No. AB 55 - Sub. No. 658X
Hall County, Georgia



CITY OF GAINESVILLE

OFFICE OF
THE CITY MANAGER

Post Office Box 2496
Gainesville, Georgia 30503-2496
Telephone: 770 . 535 . 6865
Fax: 770 . 535 . 6896
Web Site: www.gainesville.org

August 4, 2005

CSX Transportation
Attn. Mr. Dave Geraci
500 Water Street – J200
Jacksonville, FL 32202

RE: CSX Property in Midtown Gainesville, GA

Dear Mr. Geraci:

Per your letter dated July 15, 2005, concerning property in Midtown Gainesville, GA that is currently owned by CSX, I submit the following. Since the summer of 2000, the City of Gainesville has been planning for the redevelopment of its Midtown area. One of the key components of these redevelopment plans is the creation of a greenway and park that would follow the existing CSX rail lines in the Midtown area. The Renaissance of Midtown Gainesville Plan that was adopted in September of 2001 states as one of its recommendations:

“Convert the existing CSX rail spur lines in Midtown to a rails-to-trails project. Also, develop a park along the CSX rail spur line that runs north to south in Midtown.”

Since the creation of the plan in 2001, the idea of creating a park and greenway in Midtown has gained momentum. In fact, detailed plans have already been created for both the construction of the greenway and park. The idea has also been included in the City’s 2004 Comprehensive Plan by designating the Midtown area as its own mixed-use land classification. This plan states:

“The first public investment the City plans to make in Midtown is converting the CSX rail line into a greenway and building a park in the area. The creation of a greenway would not only have a positive impact on Midtown, but would benefit the entire City. A greenway in Midtown would greatly improve the aesthetic character of the area and would provide an alternative mode of transportation, recreational opportunities, and pedestrian connections to the downtown square, the Elachee trail system, and the Rock Creek greenway.”

As you can see, the purchase and subsequent redevelopment of the CSX property in Midtown Gainesville has been a key component of the City’s land use planning efforts for several years. Furthermore, the abandonment appears to be in conformance with all plans, including land use, for the City. Thank you for your



CITY OF GAINESVILLE

OFFICE OF
THE CITY MANAGER

Post Office Box 2496
Gainesville, Georgia 30503-2496
Telephone: 770 . 535 . 6865
Fax: 770 . 535 . 6896
Web Site: www.gainesville.org

Mr. Dave Geraci
August 4, 2005

Page Two

efforts in moving this project forward. If you have any questions, please do not hesitate to call either Kip Padgett at 770-531-6809, or you may contact me at 770-535-6865.

Sincerely,

Bryan C. Shuler
City Manager

Cc: Mayor and City Council
Kip Padgett, Planning and Development Director



TRANSPORTATION
Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 5

July 15, 2005

Mayor George Wangemann
City of Gainesville Planning Commission
PO Box 2496
Gainesville, GA 30503

Mayor Wangemann:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad milepost GGM 39.2 to Railroad milepost GGM 40.05 in Gainesville, Hall County, Georgia as depicted on the attached map.

This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a potential post-abandonment real estate transaction with Hall County.

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

"Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies."

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

Sincerely,

Attachment



TRANSPORTATION
Dave Geraci

Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 6

July 15, 2005

Mr. Bryan Shuler
Gainesville City Manager
Gainesville City Planning Department
PO Box 2496
Gainesville, GA 30503

Mr. Shuler:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad milepost GGM 39.2 to Railroad milepost GGM 40.05 in Gainesville, Hall County, Georgia as depicted on the attached map.

This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a potential post-abandonment real estate transaction with Hall County.

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

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

Sincerely,

Attachment

Attachment 7**United States Department of Agriculture**

Natural Resources Conservation Service
355 East Hancock Avenue
Athens, Georgia 30601
Telephone: 706-546-2272 Fax: 706-546-2120

August 17, 2005

Dave Geraci
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Subject: Abandonment of rail line; milepost GGM 39.2 to GCM 40.05 in Gainesville, Hall County, Georgia.

Dear Mr. Geraci

This in reference to your request for information on the possible impacts on the proposed rail abandonment will have on Prime Farmland. Because of the present urban land use of this and the surrounding area, there is no Prime or Statewide important farmland in the area you have designated for rail abandonment.

Sincerely,

James Lathem
Resource Soil Scientist

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

28

AUG 17 '05 15:41

7065462253

PAGE 01



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 8

July 15, 2005

Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad milepost GGM 39.2 to Railroad milepost GGM 40.05 in Gainesville, Hall County, Georgia as depicted on the attached map.

This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a potential post-abandonment real estate transaction with Hall County.

This action requires Surface Transportation Board approval and Federal Regulations require expanded environmental information in connection with rail lines, which are subject to abandonment. One of these is to determine if a designated coastal zone management area is involved, and, if so, if the proposed action is consistent with the affected State's Coastal Zone Management Program.

I would appreciate your advising if the removal of the rail would have an effect on your program. It is CSXT's intention to simply remove the metal material from the top layer of gravel ballast, and to preserve the existing routes of water flow and drainage. We do not anticipate any dredging or use of fill in the removal of the track material.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Geraci", written over a horizontal line.

Attachment



Dave Geraci
Manager - Network Rationalization

*Please Note New
Address*

608 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 358-1086
FAX: (904) 358-1111
E-Mail: Dave_Geraci@CSX.com

July 15,



U. S. Fish and Wildlife Service
105 West Park Drive, Suite D, Athens, GA 30606
Phone: 706-613-8493 Fax 706-613-6059

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

FWS Log No.

116-05-671-HALL

Based on available information, federally listed species are not likely to occur on the project site.

Sandra S. Tucker
Sandra S. Tucker, Field Supervisor

7/20/05
Date

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad milepost GGM 39.2 to Railroad milepost GGM 40.05 in Gainesville, Hall County, Georgia as depicted on the attached map.

This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a potential post-abandonment real estate transaction with Hall County.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) require that we develop responses to the following statements:

- (i) Based on consultation with the U. S. Fish and Wildlife Service state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.
- (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other materials from entering any watercourses.

Based upon the above described actions, we would appreciate your concurrence in CSXT's position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

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

Sincerely,

D. Geraci

Attachment



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 10

July 15, 2005

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad milepost GGM 39.2 to Railroad milepost GGM 40.05 in Gainesville, Hall County, Georgia as depicted on the attached map.

This line has had two customers, Lafarge Building Materials and MGM Transport, who have ceased rail operations since January 2004 and June 2004 respectively. No new rail business is expected. In addition, the property is currently being negotiated as a potential post-abandonment real estate transaction with Hall County.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we develop a response to the following statements:

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

(iii) State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The cross ties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, we would appreciate receiving your concurrence with CSXT's position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

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

Sincerely,

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

Attachment 11

AUG 11 2005

Dave Geraci, Manager
Network Rationalization
CSX Transportation
500 Water Street
Jacksonville, Florida 32202

Dear Mr. Geraci:

This letter is in response to your letter of August 3, 2005, requesting comments from the Environmental Protection Agency (EPA) on the abandonment of a 0.85 mile portion of CSX Transportation, Inc., rail line in Gainesville, Hall County, Georgia.

Please be aware that this activity would be subject to the requirements of the Clean Water Act (CWA) if, in the process of dismantling the track, one acre or more of land are disturbed by clearing or grading and if storm water discharges from this disturbance enter either a surface water body, by direct conveyance (pipe, ditch, etc), or through a municipal separate storm sewer system. Based on the information provided with your letter, it appears that this activity is not subject to NPDES permitting requirements. The State of Georgia Environmental Protection Division (GAEPD) has been authorized to implement the National Pollutant Discharge Elimination System (NPDES) permit program, under Section 402 of the CWA. Please rely on the response you receive from the State for a final determination in this matter.

If EPA can be of further assistance to you in this matter, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Roosevelt Childress", is written over the typed name.

Roosevelt Childress, Chief
NPDES and Biosolids Permits Section
Permits, Grants and Technical Assistance Branch
Water Management Division

cc: Larry Hedges
GAEPD

**ENVIRONMENTAL REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 658X) was mailed via first class mail on August 3, 2005 to the following parties:

Mr. Jim Shuler
Hall County Administrator
Hall County Planning Commission
PO Box 1435
Gainesville, GA 30503

Mayor George Wangemann
City of Gainesville Planning Commission
PO Box 2496
Gainesville, GA 30503

Mr. Bryan Shuler
Gainesville City Manager
Gainesville City Planning Department
PO Box 2496
Gainesville, GA 30503

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

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334

U.S. Army Corps of Engineers
Savannah District
PO Box 889
Savannah, GA 31402-0889

U.S. Department of the Interior
Fish & Wildlife Service
105 West Park Drive
Suite D
Athens, GA 30606

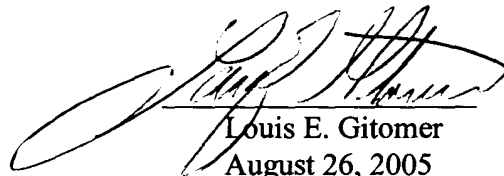
USDA – NRCS
Gainesville Service Center
734 East Crescent Drive
Gainesville, GA 30501-5082

Ms. Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW
8th Floor
Atlanta, GA 30334

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

Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523

Mr. Richard Snay
DOC/NOAA
National Geodetic Survey N/NGS23
1315 East West Highway Station 8736
Silver Spring, MD 20910-3282



Louis E. Gitomer
August 26, 2005

EXHIBIT C-HISTORIC REPORT



Dave Geraci
Manager – Network Rationalization

500 Water Street – J200
Jacksonville, FL 32202
Tel. (904) 359-1086
Fax (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

July 22, 2005

Mr. Ray Luce
Georgia State Historic Preservation Officer
34 Peachtree Street, NW
Suite 1600
Atlanta, GA 30303

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Gainesville, Hall County, Georgia
Docket AB-55 (Sub-No. 658X)

Dear Mr. Luce:

Please be advised that on August 26, 2005, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon service over approximately 0.85 mile of railroad from Railroad Milepost GGM 39.2 to the end of track at Railroad Milepost GGM 40.05 in Gainesville, Hall County, Georgia.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

I will appreciate receiving your letter confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:

Surface Transportation Board, Section of Environmental Analysis, 1925 K Street NW - Suite 534, Washington, DC 20423-0001

Mr. Louis Gitomer, Counsel, Ball Janik LLP, 1455 F Street, Suite 225, Washington, DC 20005

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
Gainesville, Hall County, Georgia
DOCKET AB-55 (SUB-NO. 658X)**

1105.7(e)(1)

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

CSX Transportation (CSXT) proposes to abandon 0.85 miles of rail line between Railroad Milepost GGM 39.2 to the end of track at Milepost GGM 40.05, in Gainesville, Georgia.

The above referenced 0.85-mile line has had two customers, Lafarge Building Materials and MGM Transportation, who have stopped shipping since January 2004 and June 2004 respectively. No new rail oriented business is expected to develop and the line is no longer required for operating purposes. In addition, CSX Real Estate is currently working with local municipalities for a sale transaction of the segment post abandonment.

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

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

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

CSXT received a response from the Georgia Department of Natural Resources – Historic Preservation Division dated August 19, 2005 stating “...HPD believes that no historic properties or archaeological resources that are listed in or eligible for listing in the National Register of Historic Places will be affected by this undertaking.” (See Attachment 4.)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached is a copy of the Gainesville quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared. The line to be abandoned has been identified by a heavy black diagonal line. (See Attachment 3.)

There are no CSXT-owned structures that are 50 years old or older, which may be eligible for listing in the National Register as a part of the proposed action.

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

The right of way widths along this line vary between 20 and 30 feet from the center-line of track. The rail line traverses the urban community of Gainesville, Georgia

- (3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Not Applicable.

- (4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Not Applicable.

- (5) **A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

This line was originally acquired between 1882 and 1884 by the Gainesville, Jefferson & Southern Railroad (GJ&S). The GJ&S was chartered on August 23, 1872 and opened its narrow-gauge 55-mile line from Gainesville to Monroe on March 8, 1884.

In 1883, before construction was completed, the lessees of the Georgia Railroad had acquired a controlling interest in the GJ&S, along with a majority of the stock of the 10-mile-long Walton Railroad, which ran from Monroe to Social Circle. They consolidated the two railroads on March 11, 1884.

The GJ&S entered receivership in March of 1897. In 1904, most of its trackage was sold under foreclosure to the new Gainesville Midland Railway (GMRR). The GMRR was chartered in 1904.

In 1959, GM's 40-mile line from Gainesville to Athens was sold to the Seaboard Air Line Railroad (SAL) who had commenced operations on August 1, 1946.

On July 1, 1967, SAL and ACL merged to form the Seaboard Coast Line (SCL). In 1972 The Family Lines was adopted to identify the Louisville and Nashville Railroad and the SCL. On November 1, 1980, Seaboard Coast Line Industries Inc. (which was formed in May 1969) and Chessie System Inc. merged and became CSX Corporation. On January 1, 1983, the merger of The Family Lines' affiliates formed the Seaboard System Railroad Inc., which name was changed on July 1, 1986 to CSX Transportation Inc.

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

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

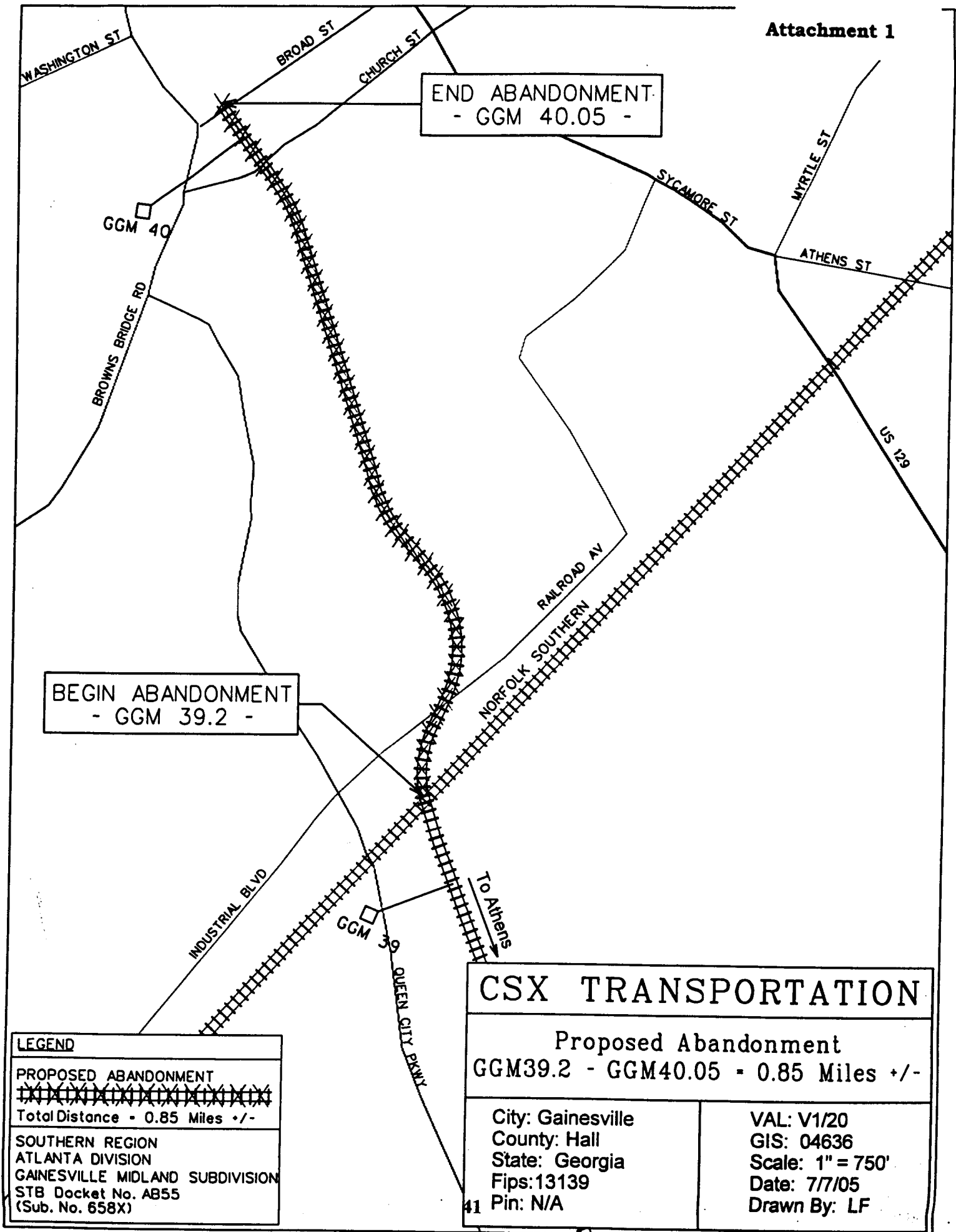
Not Applicable.

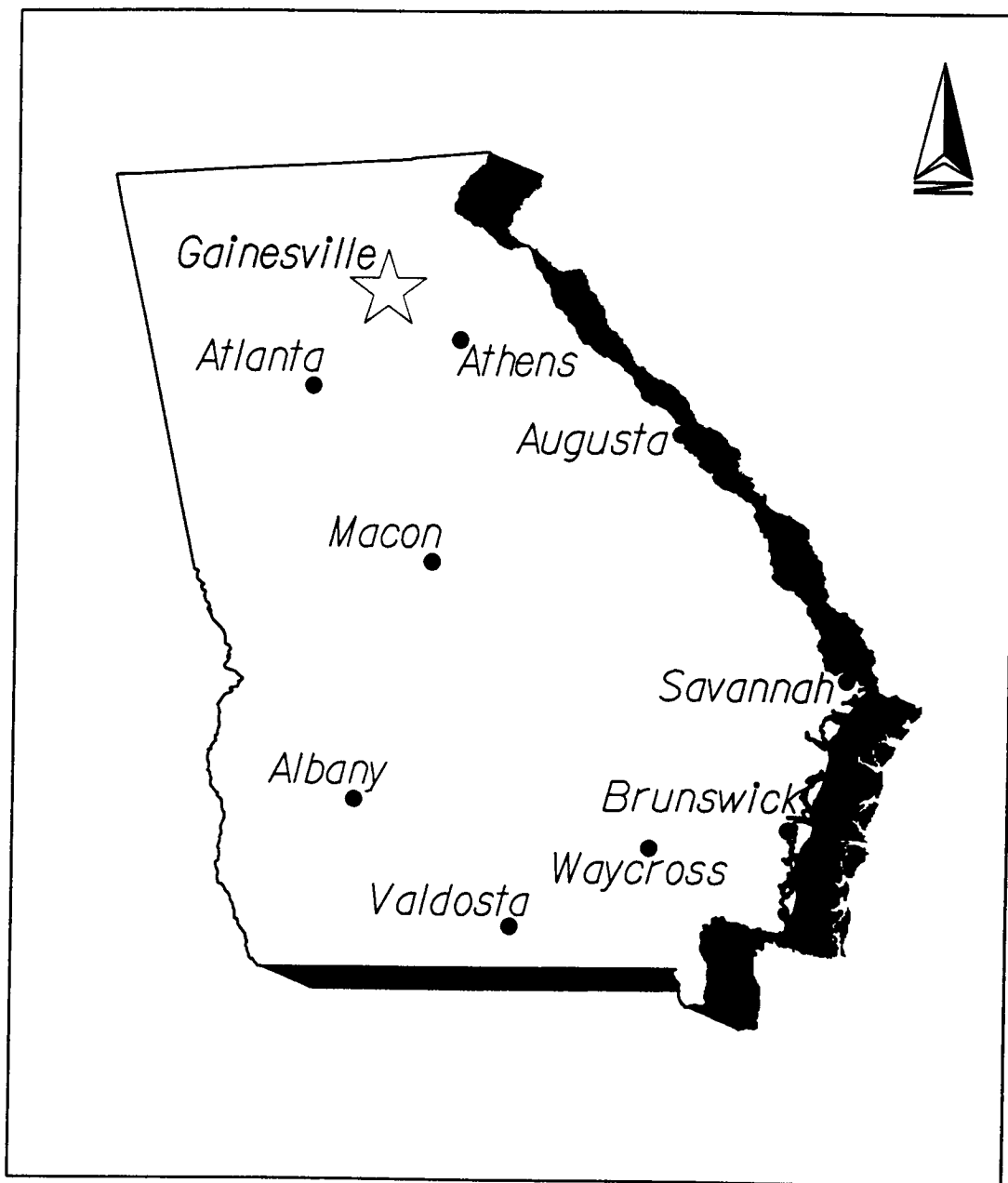
- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register.

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

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.





AREA MAP

Proposed Abandonment of 0.85 Miles +/-
STB Docket No. AB 55 - Sub. No. 658X
Hall County, Georgia



Georgia Department of Natural Resources

Noel Holcomb, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street NW, Suite 1600, Atlanta, Georgia 30303-2316
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

MEMORANDUM

Attachment 4

TO: CSX Transportation
Attn: Dave Gerici
500 Water Street – J200
Jacksonville, Florida 32202

FROM: Elizabeth Shirk 
Environmental Review Coordinator
Historic Preservation Division

RE: Finding of "No Historic Properties Affected"

PROJECT: Rail Abandonment from GGM 39.2-GGM40.5, Gainesville
Federal Agency: Surface Transportation Board
Applicant: CSX
GA-050721-004

COUNTY: Hall County, Georgia

DATE: August 19, 2005

The Historic Preservation Division has reviewed the information received concerning the above-mentioned project. Our comments are offered to assist federal agencies and project applicants in complying with the provisions of Section 106 of the National Historic Preservation Act.

Based on the information submitted, HPD believes that no historic properties or archaeological resources that are listed in or eligible for listing in the National Register of Historic Places will be affected by this undertaking. Please note that historic and/or archaeological resources may be located within the project's area of potential effect (APE), however, at this time it has been determined that they will not be impacted by the above-referenced project. Furthermore, any changes to this project as proposed will require further review by our office for compliance with the Section 106 process.

If we may be of further assistance contact me at (404) 651-6624, or Denise Messick, Environmental Review Historian at (404) 651-6777. Please refer to the project number assigned above in any future correspondence regarding this project.

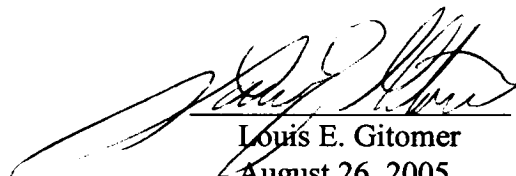
ES:dpm

cc: Barbara Jackson, Georgia State Clearinghouse
Bryan Flower, Georgia Mountains RDC
Surface Transportation Board, Section of Environmental Analysis, 1925 "K" Street NW,
Suite 534, Washington, DC 20423-0001

CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 658X) was mailed via first class mail on July 22, 2005, to the following party:

Mr. Ray Luce
Georgia State Historic Preservation Officer
34 Peachtree Street, NW
Suite 1600
Atlanta, GA 30303



Louis E. Gitomer
August 26, 2005

EXHIBIT D—FEDERAL REGISTER NOTICE

STB No. AB-55 (Sub-No. 658X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION— IN HALL COUNTY, GEORGIA

Notice of Petition for Exemption to Abandon

On August 26, 2005 CSX Transportation, Inc. filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a line of railroad known as Southern Region, Atlanta Division, Gainesville Midland Subdivision, in Gainesville, extending from railroad milepost GGM 39.2 in near Gainesville to the end of track, milepost GGM 40.05 near Gainesville, which traverses through United States Postal Service ZIP Code 30501, a distance of 0.85 miles in Hall County, GA. The line for which the abandonment exemption request was filed is within the station of Gainesville, GA.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the labor protective conditions in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

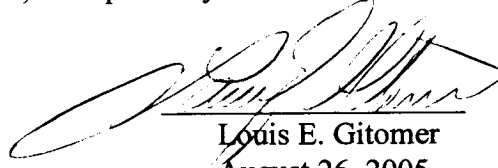
All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

EXHIBIT E—CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 658X) was advertised on August 19, 2005 in the The Gainesville Times, a newspaper of general circulation in Hall County, GA, as required by 49 C.F.R. § 1105.12.



Louis E. Gitomer
August 26, 2005

EXHIBIT F-SHIPPER LETTER



AGGREGATES & CONCRETE

April 6, 2005

Ms. Bobbie League
AVP – Network Rationalization
CSXT Transportation, Inc. – J200
500 Water Street, J200
Jacksonville, FL 32202

Dear Ms. League:

Lafarge Building Material has been advised that CSX Transportation intends to seek approval from the Surface Transportation Board to abandon a portion of the railroad's operation in Gainesville, GA.

We will not oppose the abandonment.

We understand that you may submit this letter to the Surface Transportation Board as part of the proceedings on the proposed abandonment.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Marsh'.

David R. Marsh
VP & General Manager, Southeast Masonry Products
Vice President, Business Development, Southeast LCM

EXHIBIT G—CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.60 (d), the undersigned hereby certifies that the Petition for Exemption for abandonment in Docket No. AB-55 (Sub-No. 658X) was mailed via first class mail on August 26, 2005, to the following parties:

State Public Service Commission

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Military Traffic Management Command

MTMCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, VA 23606-2574

National Park Service

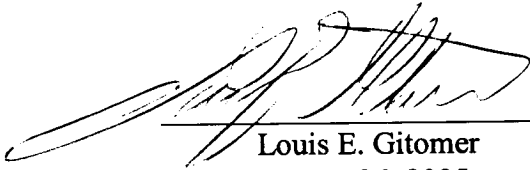
Mr. Tom Ross
Chief of National Recreation and Trails
U.S. Department of Interior - National Park Service
Recreation Resources Assistance Division
1849 C Street, NW
Washington, DC 20240-0001

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
800 North Capitol St., N.E.
Room 540
Washington, DC 20002

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, DC 20250



Louis E. Gitomer
August 26, 2005