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August 20, 2019

248356

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
August 20, 2019
Part of
Public Record

Re: **Docket No. AB-55 (Sub-No. 794X), CSX Transportation, Inc.—Abandonment
Exemption—in Pinellas County, FL**

Dear Ms. Brown:

Enclosed for electronic filing is a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to an approximately 0.86-mile rail line on its Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL. The filing fee of \$4,200 has been paid via pay.gov.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

FILED
August 20, 2019
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
August 20, 2019
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 794X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
IN PINELLAS COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: August 20, 2019

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 794X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–
PINELLAS COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon an approximately 0.86-mile rail line on its Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, 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.

1. Proposed consummation date. The proposed consummation date is October 9, 2019.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

- (1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 0.86-mile rail line on the Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgrailaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 33701, 33705, and 33713.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT believes that the property proposed for abandonment is suitable for other purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

4. The level of labor protection. The interests of any railroad employees 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).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. See Exhibit D.

7. Historic Report. See Exhibit D.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Melanie B. Yasbin".

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: August 20, 2019

EXHIBIT A-VERIFICATION AND CERTIFICATION

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA)
)
COUNTY OF DUVAL) ss.

I, Juan Escobar, state that I am Financial Analyst
for CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I
have read the foregoing Notice of Exemption and know the facts asserted therein are true and
accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that no local freight traffic has moved over CSXT's 0.86-mile rail line on
the Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in Pinellas
County, FL for two years prior to the date hereof and that any overhead traffic can be rerouted
over other lines. Further, no formal complaint filed by a user of rail service on the line (or a
State or local government entity acting on behalf of such user) regarding cessation of service
over the line either is pending with the Surface Transportation Board or any U.S. District Court
or has been decided in favor of a complainant within the two-year period. The foregoing
certification is made on behalf of CSXT by the undersigned after due and careful investigation of
the matters herein certified and based on the best of the knowledge, information, and belief of the
undersigned.

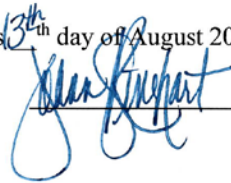


SUBSCRIBED AND SWORN TO before me this 3rd day of August 2019.

My Commission Expires



JoAnn S. Rinehart
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG308562
Expires 7/1/2023



Notary Public

EXHIBIT B-MAP



EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 794X) was mailed via first class mail on August 9, 2019, to the following parties:

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

National Park Service

Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Melanie B. Yasbin
August 20, 2019

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 794X) in the following form was advertised on August 10, 2019 in The Tampa Bay Times, a newspaper of general circulation in Pinellas County, FL as required by 49 C.F.R. § 1105.7(c) and .12.



Melanie B. Yasbin
August 20, 2019

Notice of Intent to Abandon

CSX Transportation, Inc. (“CSXT”) gives notice that on or about August 20, 2019, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of an 0.86-mile rail line on the Clearwater Subdivision, between milepost ARE 897.57 and milepost ARE 898.43, in Pinellas County, FL, which traverses through United States Postal Service ZIP Codes 33701, 33705, and 33713 in Pinellas County, FL. The proceeding will be docketed as No. AB-55 (Sub-No. 794X).

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 OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

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 Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423–0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant’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: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

EXHIBIT D– COMBINED ENVIRONMENTAL AND HISTORIC REPORT

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 Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 794X) was mailed via first class mail on July 31, 2019 to the following parties:

United States Department of Agriculture Natural Resources Conservation Service P.O. Box 141510 Gainesville, FL 32614-1510	Environmental Protection Agency Region 4 61Forsyth Street SW Atlanta, GA 30303
U.S. Army Corp of Engineers Jacksonville District P.O. Box 4970 Jacksonville, FL 32207-8175	U.S. Fish & Wildlife Services 7915 Baymeadows Way, Suite 200 Jacksonville, FL 32256
National Park Service 100 Alabama Street, SW Atlanta, GA 30303	National Geodetic Survey ngs.infocenter@noaa.gov
Florida Fish and Wildlife Conservation Commission 3377 E. U.S. Highway 90 Lake City, FL 32055-8795	Florida Department of Transportation 1109 South Marion Ave Lake City, FL 32025-5874
Florida Department of Environmental Protection Office of the Secretary 3900 Commonwealth Blvd Tallahassee, FL 32399-300	Ms. Cindy Sheppard City Council Administrative Officer PO Box 2842 St. Petersburg, FL 33731

Mayor Rick Kriserman Mayor's Office St. Petersburg City Hall 175 Fifth St. N. St. Petersburg, FL 33701	Florida Coastal Management Program 3900 Commonwealth Blvd Tallahassee, FL 32399-300
Florida Division of Historical Resources R.A. Gray Building 500 S. Bronough Street Tallahassee, FL 32399-0250	Mr. Barry A. Burton Pinellas County Administrator 315 Court Street Clearwater, FL 33756
Pinellas County Planning 310 Court Street First Floor Clearwater, FL 33756	Planning & Development Services One 4th Street North P.O. Box 2842 St. Petersburg, FL 33731-2842

Melanie B. Yasbin
August 20, 2019

HISTORIC REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 794X) was mailed via first class mail on July 31, 2019 to the following parties:

Florida Division of Historical Resources
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250



Melanie B. Yasbin
August 20, 2019

COMBINED ENVIRONMENTAL AND HISTORIC REPORT (“CEHR”)
(49 C.F.R. 1105.7 and 1105.8)

Docket No. AB-55 (Sub-No. 794X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN PINELLAS COUNTY, FL

Dated: August 20, 2019

ENVIRONMENTAL REPORT

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

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”).¹ The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Abandonment of the Line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Any trail related structures, such as bridges, trestles, culverts and tunnels will not be salvaged. Finally, the operations and maintenance of the Line will cease.

The only alternative to a full abandonment would be for CSXT not to abandon the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

¹ The Surface Transportation Board granted discontinuance authority for the portion of the Line between milepost ARE 897.57 and milepost ARE 898.00 in CSX Transportation, Inc.—Discontinuance of Service Exemption—in Pinellas County, Fla. STB Docket No. AB-55 (Sub-NO. 705X) (STB served Apr. 8, 2011).

(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 passenger traffic on the Line to be diverted to other modes as a result of the proposed abandonment. There is no freight traffic on the Line to be diverted to motor carrier.

The proposed abandonment should have no adverse effects on regional or local highway systems and traffic 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. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (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. § 10905 and explain why.

(i) CSXT considers the proposed abandonment of the Line to be consistent with existing land use plans. CSXT notified Pinellas County by letter dated July 31, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. A copy of the Preliminary CEHR has also been mailed to the appropriate local and state agencies for their information and further comment. By email dated August 9, 2019, the Florida State Clearinghouse stated that CSXT could proceed with its project (See Exhibit 2). By letter dated August 20, 2019, the Planning and Development Services Department the City of St. Petersburg stated that use of the Line as a trail is consistent with existing land use plans. (See Exhibit 2). No other comments have been received to date.

(ii) CSXT does not believe that there is any prime agricultural land that will be affected. CSXT notified the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (the agency succeeding to the responsibilities of the Soil Conservation

Service) of the proposed abandonment by letter dated July 31, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. No comments have been received to date.

(iii) CSXT notified the Florida Coastal Management Program by letter dated July 31, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR.

(iv) CSXT believes the Line would be suitable for interim trail use/rail banking.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (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.

(i) The proposed abandonment will have no affect the ability to transport energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will not change the use of railroad transportation over the line as CSX doesn't currently ship over the line.

(iv) The proposed abandonment will not cause the diversion of more than 1,000 rail carloads a year; or an average of 50 rail carloads per mile per year for any part of the line segments 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 percent (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 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. §

10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent 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. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (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 restrictions); 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.

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(iii) The proposed abandonment will not affect the transportation of ozone depleting materials.

(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.

Not applicable.

(7) Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade 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. (iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

(i) The proposed abandonment will have no detrimental effects on public health and safety. There are no active public or private road crossings on the Line. All crossings had previously been closed.

(ii) The proposed abandonment will not affect the transportation of hazardous materials.

(iii) CSXT is not aware of any known hazardous waste sites or sites where there have been known hazardous materials spills on the Line.

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

(i) CSXT does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. CSXT has notified the U.S. Fish and Wildlife Service (“USF&W”) of the proposed abandonment by letter dated July 31, 2019 (See Exhibit 2) requesting assistance in determining whether the proposed abandonment will adversely affect endangered or threatened species or areas designated as a critical habitat and included a copy of the preliminary CEHR. No comments have been received to date.

(ii) CSXT does not believe any wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed abandonment.

CSXT has notified the National Parks Service of the proposed abandonment by letter dated July 31, 2019 (See Exhibit 2) requesting assistance in identifying any potential effects on

wildlife sanctuaries or refuges, National or State parks or forests and included a copy of the preliminary CEHR. No comments have been received to date.

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

(i) CSXT is confident that the proposed abandonment will be consistent with applicable water quality standards. CSXT notified the State Environmental Protection Agency (“SEPA”), and the United States Environmental Protection Agency (“USEPA”) by letters dated July 31, 2019 (See Exhibit 2) requesting assistance in identifying any potential effects on water quality standards and included a copy of the preliminary CEHR. By email dated August 12, 2019, the USEPA states that it has “no environmental concerns, comments, or questions” regarding the abandonment. (See Exhibit 2). No other comments have been received to date.

(ii) CSXT believes that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment. Upon receiving abandonment authority, removal of material will be accomplished by use of the right-of-way for access. No new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. CSXT will transport crossties and/or other debris away from the Line and will not discard them along the right-of-way or place or leave them 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, CSXT does not believe a permit under Section 404 of the Clean Water Act will be required.

CSXT notified the U.S. Army Corps of Engineers by letter dated July 31, 2019 (See Exhibit 2) requesting assistance in identifying whether permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment and included a copy of the preliminary CEHR. No comments have been received to date.

(iii) CSXT believes that no permit under section 402 of the Clean Water Act would be required for the abandonment. CSXT notified the SEPA and the USEPA by letter dated July 31, 2019 (See Exhibit 2) requesting assistance in identifying whether permit under section 402 of the Clean Water Act would be required for the abandonment and included a copy of the preliminary CEHR. No comments have been received to date.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

CSXT does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. CSXT will, of course, adhere to any remedial actions required by the Board.

HISTORIC REPORT

1. A U.S.G.S. topographic map (or 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;

U.S. Geological Survey Maps have been supplied to the State Department of Archeology and Historic Preservation (See Exhibit 3) along with this preliminary CEHR.

2. A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The width of the right of way ranges from 80 feet to 100 feet but averages approximately 90 feet for most of the Line. The Line runs through downtown St. Petersburg. The Line runs south from 5th Avenue N., curving east along 1st Avenue S. and ending at 9th Avenue N. There are no bridges on the Line.

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;

There are no bridges greater than 50 years old on the Line.

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;

There are no structures greater than 50 years old on the Line.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The Line was originally part of Tampa Bay and Gulf Railroad Company ("TBGR") which was incorporated in 1909. The TBGR was acquired by the Seaboard Air Line Railroad ("SAL") in 1915. On July 1, 1967, the SAL and Atlantic Coast Line 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.

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;

CSXT possesses valuation maps and track charts of the Line, but is not aware of any other documentation in its possession.

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);

CSXT believes that the Line is not unusual or noteworthy for inclusion on the National Register of Historic Places. It is also CSXT's opinion that there are no archeological resources or other railroad related historic properties in the project area. Moreover, there are no bridges or structures on the Line that are 50 years old or older.

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 manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic waste), and the surrounding terrain.

Based on a review of its records, CSXT believes that there are no known subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered

archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

CSXT does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. But, if any additional information is requested, CSXT will promptly supply the necessary information.

CSXT notified the Florida Historic Preservation Officer by letter dated July 31, 2019 (*See* Exhibit 2) requesting assistance to determine whether there are any archeological resources or any other previously unknown historic properties and included a copy of the preliminary CEHR. No comments have been received to date.

EXHIBIT 1 – MAP



EXHIBIT 2 – LETTERS (WITHOUT MAPS)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

City of St. Petersburg
Planning & Development Services
One 4th Street North
P.O. Box 2842
St. Petersburg, FL 33731-2842

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT’s Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT’s Preliminary CEHR with CSXT’s analysis of current and future land use. Please respond by email to Floyd_Payne@csx.com or by mail to the above

address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gen. Pa.", followed by a long horizontal flourish.



Revised August 20, 2019

Gene Payne
Manager Strategic Planning
CSX
500 Water Street, J801
Jacksonville, FL 32202

**RE: STP Docket No. AB-55 (Sub 794X) CSX Transportation, Inc. – Abandonment
Exemption**

Dear Mr. Payne:

In response to your letter dated July 31, 2019 regarding the above reference matter, please see the following regarding the City of St. Petersburg current and future land use in relationship to the Line.

The City agrees with Environmental Report, (3)(iv) regarding suitable use of the Line as trail and as such the City maintains a continued interest in the referenced rail line, with respect to the current use of a portion of the rail line as a multi-modal trail and future expansion of said trail. Such use is consistent with our adopted plans, including our Comprehensive Plan, our Complete Streets Plan and our City Trails Master Plan. The City's adopted Comprehensive Plan contains the following Objectives and Policies:

"OBJECTIVE T3: The City shall develop and maintain a multi-modal transportation system that increases mobility for bicyclists, pedestrians and transit users as well as motorists and users of aviation and rail facilities"

"T3.8 The City shall support the development of corridors in addition to Central Avenue that are identified in the Pinellas County Transit Vision Plan for enhanced bus service and future premium transit service, with a particular emphasis on the north-south routes"

"T3.9 The City shall support the Tampa Bay Area Regional Transportation Authority (TBARTAs) vision of providing regional premium transit service from downtown St. Petersburg to Tampa"

"T3.10 The City shall continue to seek funding for construction of the remaining gaps in the major north-south trail facility that will parallel the Interstate system from downtown St. Petersburg to the Gandy Bridge in northern St. Petersburg."

“OBJECTIVE T13: The City shall coordinate the provision of efficient transit service and facilities with the location and intensity of future land use patterns as designated in the Land Use Element and encourage transit through the Land Development Regulations.”

“T13.3 St. Petersburg shall investigate and adopt strategies for the adequate protection of rights-of-way, easements, setbacks and public lands associated with the PSTA’s service or the potential use of these lands in association with guideway transit systems, express bus lanes, or high occupant vehicle lanes.”

“OBJECTIVE T14: The City shall support major transportation investments that demonstrate an ability to substantially improve mobility, encourage urban infill development, reduce traffic congestion and improve air quality in Pinellas County and the Tampa Bay region in a cost-effective manner.”

“T14.1 The City shall participate in the Pinellas Mobility Initiative (PMI) and the planning activities of the Tampa Bay Area Regional Transit Authority (TBARTA) by serving on the appropriate technical and policy committees and working with the Pinellas County MPO, PSTA, FDOT and other appropriate agencies.”

“T14.3 The City shall protect appropriate corridors identified for a major transportation investment under the PMI and TBARTA that:

1. further the goals, objectives and policies of the St. Petersburg Comprehensive Plan;
2. have the demonstrated support of the impacted communities;
3. connect Activity Centers;
4. support the economic development of the City;
5. are properly integrated into the community; and
6. facilitate redevelopment of distressed and underutilized areas.”

“OBJECTIVE T15: The City shall encourage and increase bicycle and pedestrian travel throughout the City of St. Petersburg for commuting to work and school as well as for recreation.”

“T15.3 The City shall review and support appropriate strategies developed by the Pinellas County MPO to expand the Pinellas Trail and provide new community trails that connect St. Petersburg to other communities in Pinellas County. The City shall support strategies that increase the accessibility of these facilities to a greater number of people and increase the connectivity of these facilities to parks, shopping centers, major employers and schools.”

“OBJECTIVE T23: St. Petersburg shall continue to reduce petroleum reliance and limit GHG emissions through transit and multimodal transportation options.”

“T23.4 The City shall continue to implement its “City Trails Bicycle and Pedestrian Master Plan.” Once complete, the “City Trails Plan” is expected to provide more than 150 miles of facilities and greater than two thirds of the City’s major road network shall have bicycle facilities.”

“T23.7 The City shall continue to support the Tampa Bay Area Regional Transit Authority (TBARTA) in developing a regional transit system that will serve the seven counties comprising the greater Tampa Bay region.”

The City's has two additional adopted plans which are also related. First, from the CityTrails Master Plan which was adopted by City Council in October of 2003, in Chapter 4 – Action Plan:

"The Booker Creek Trail would connect neighborhoods with the existing/proposed on- and off-road bicycle network. The alignment of this proposed trail will be based on the available right-of-ways along existing I-275, CSX rail line, and parks. This trail's alignment starts at 13th Avenue North (at the intersection of 22nd Street) and follows the available right-of-way along the existing I-275, existing CSX line, and then the existing parks right of way in a southeast direction with an end point of the Trail at 12th Avenue South and 3rd Street. This trail uses the available under passes and over passes along the alignment in order to minimize the bicycle/motor vehicle traffic conflicts at some key intersections. This trail also uses the underground passage available on the east side of Tropicana Field."

Second, the City's Complete Streets Administrative Policy and the Complete Streets Implementation Plan, adopted by City Council in 2019 which serves an update of the 2003 Bicycle and Pedestrian Master Plan states the following under Location Specific Narratives:

"Pinellas County is currently crafting plans to create a trail along the Joe's Creek waterway that generally runs east-west, just north of the City boundary. The City will establish connections to Joe's Creek via multiple new trails and neighborhood greenways connections at: CSX rail corridor trail"

As previously noted, the City maintains a continued interest in the referenced rail line, with respect to the current use of a portion of the rail line as a multi-modal trail and future expansion of said trail. We are available for any questions you may have.

This letter is intended solely as a good faith effort to comply with the request made by CSX and protect the interests of the City and its residents. Nothing in this letter is to be interpreted or construed as taking any position regarding ownership or future use of the land upon which the identified rail line sits, nor is this letter to be interpreted or construed in concurrence with the lawsuit (City of St. Petersburg v. CSX Transportation, Inc., Case No. 8:19-cv-01541-CEH-CPT) or the City's petition for adverse abandonment (STB Docket No. AB-1289), both of which implicate the subject line.

Respectfully,



Elizabeth Abernethy, Director
Planning and Development Services Department
Elizabeth.Abernethy@stpete.org
(+1) 727.893.7868

cc: Floyd.Payne@csx.com
Mayor Rick Kriseman
Cindy Sheppard, City Council Administrative Officer
Alan DeLisle, City Development Administrator



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Mayor Rick Kriserman
Mayor's Office
St. Petersburg City Hall
175 Fifth St. N.
St. Petersburg, FL 33701

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Mayor Kriserman:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT’s Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT’s Preliminary CEHR with CSXT’s analysis of current and future land use. Please respond by email to Floyd_Payne@csx.com or by mail to the above

address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Ms. Cindy Sheppard
City Council Administrative Officer
PO Box 2842
St. Petersburg, FL 33731

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Ms. Sheppard:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

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Sincerely,

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Pinellas County
Planning
310 Court Street
First Floor
Clearwater, FL 33756

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT’s Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT’s Preliminary CEHR with CSXT’s analysis of current

and future land use. Please respond by email to Floyd_Payne@csx.com or by mail to the above address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Mr. Barry A. Burton
Pinellas County Administrator
315 Court Street
Clearwater, FL 33756

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Mr. Burton:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT’s Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT’s Preliminary CEHR with CSXT’s analysis of current and future land use. Please respond by email to Floyd_Payne@csx.com or by mail to the above address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Environmental Protection Agency
Region 4
61 Forsyth Street SW
Atlanta, GA 30303

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7 (e)(9) (i) and (iii) require that CSXT 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. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its 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. As further information, CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne
Enclosures (3)

Gene Payne | CSX Transportation

CSX Strategic Planning || Office (904) 359-3739 || E-mail Gene_Payne@csx.com

From: Militscher, Chris <Militscher.Chris@epa.gov>

Sent: Monday, August 12, 2019 10:38 AM

To: Payne, Gene <Gene_Payne@csx.com>

Subject: STB Docket No. AB-55 (Sub-No. 794X); Abandonment Exemption; Pinellas Co., Florida

Mr. Payne: The U.S. Environmental Protection Agency has reviewed the Combined Environmental and Historical Report dated 7/31/19, for the subject abandonment project and has no environmental concerns, comments or questions.

Thank you.

Christopher A. Militscher
Chief, NEPA Section
USEPA Region 4
61 Forsyth Street, SW
Atlanta, GA 30303
404-562-9512



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500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Florida Department of Environmental Protection
Office of the Secretary
3900 Commonwealth Blvd
Tallahassee, FL 32399-300

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

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CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

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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. CSXT does not

intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate your concurrence in its 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.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Florida coastal Management Program
3900 Commonwealth Blvd
Tallahassee, FL 32399-300

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

U.S. Department of the Interior
Fish & Wildlife Service
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

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

Based upon the above described actions, CSXT would appreciate your concurrence in its 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.

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Florida Fish and Wildlife Conservation Commission
3377 E. U.S. Highway 90
Lake City, FL 32055-8795

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

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Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

U.S. Army Corps of Engineers
District Engineer
Jacksonville District
P.O. Box 4970
Jacksonville, FL 32207-8175

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

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CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(e)(9) (ii) require that CSXT develop responses to the following statement:

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

National Park Service
100 Alabama Street, SW
Atlanta, GA 30303

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,


Gene Payne



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Florida Department of Transportation
1109 south Marion Ave
Lake City, FL 32025-5874

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

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Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

National Geodetic Survey ngs.infocenter@noaa.gov

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

Please advise if there are any geodetic markers which could be affected by the proposed transaction. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

Gene Payne



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

Florida Division of Historical Resources
R.A. Gray Building
500 S. Bronough Street
Tallahassee, FL 32399-0250

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

In connection with rail line that is the subject of an application 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 preliminary Combined Environmental and Historic Report (“CEHR”) covering the above-proposed abandonment.

We would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed is a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the CEHR for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne
Enclosures (3)



500 Water Street, J801
Jacksonville, Florida 32202
Phone (904) 359-3739
Email: Gene_Payne@csx.com

Gene Payne
Manager Strategic Planning

July 31, 2019

USDA – NRCS
P.O. Box 141510
Gainesville, FL 32614-1510

Re: STB Docket No. AB-55 (Sub-No. 794X) CSX Transportation, Inc.—Abandonment
Exemption—Pinellas County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.86-mile rail line on its Clearwater Subdivision between milepost ARE 897.57 and milepost ARE 898.43, in St. Petersburg, Pinellas County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 33701, 33705, and 33713.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

“Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.”

Please advise if any of the land contiguous to CSXT’s line in the project area is classified as prime agriculture land.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

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Gene Payne
Enclosures (3)

Gene Payne | CSX Transportation

CSX Strategic Planning || Office (904) 359-3739 || E-mail Gene_Payne@csx.com

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Friday, August 9, 2019 10:51 AM
To: Payne, Gene <Gene_Payne@csx.com>
Cc: State_Clearinghouse <State.Clearinghouse@dep.state.fl.us>
Subject: STB Docket No. AB-55(Sub-No. 794X) CSX Transportation Inc.

We received your July 31, 2019 letter concerning the referenced project on August 2, 2019. 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 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
3800 Commonwealth Blvd., M.S. 47
Tallahassee, FL 32399-2400
ph. (850) 717-9076
State.Clearinghouse@floridadep.gov

- EXTERNAL SENDER

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EXHIBIT 3 – USGS MAPS

