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THOMAS J. LITWILER
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tlitwiler@fletcher-sippel.com

November 23, 2004

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20006



Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of Florida Central Railroad Company, Inc. Pursuant to 49 C.F.R. § 1152.50**, dated November 23, 2004. A check in the amount of \$3,000, representing the appropriate fee for this filing, is attached.

One extra copy of the Notice and this letter also are enclosed. Please date-stamp those items to show receipt of this filing and return them to me in the provided envelope.

The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Section of Environmental Analysis. If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

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NOV 24 2004
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TRANSPORTATION BOARD

TJL:tl

Enclosures

cc: Victoria J. Rutson, SEA

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ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-319 (SUB-NO. 4X)

FLORIDA CENTRAL RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN SEMINOLE AND ORANGE COUNTIES, FLORIDA



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Public Record

**VERIFIED NOTICE OF EXEMPTION OF
FLORIDA CENTRAL RAILROAD COMPANY, INC.
PURSUANT TO 49 C.F.R. § 1152.50**

FEE RECEIVED
NOV 24 2004
**SURFACE
TRANSPORTATION BOARD**

Thomas J. Litwiler
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29 North Wacker Drive
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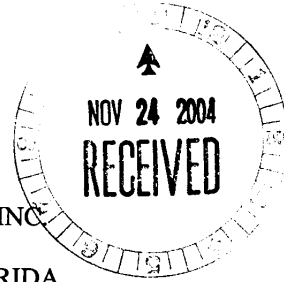
**ATTORNEYS FOR FLORIDA CENTRAL
RAILROAD COMPANY, INC.**

Dated: November 23, 2004

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-319 (SUB-NO. 4X)

FLORIDA CENTRAL RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN SEMINOLE AND ORANGE COUNTIES, FLORIDA



ENTERED
Office of Proceedings

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Public Record

**VERIFIED NOTICE OF EXEMPTION OF
FLORIDA CENTRAL RAILROAD COMPANY, INC.
PURSUANT TO 49 C.F.R. § 1150.50**

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NOV 24 2004
SURFACE
TRANSPORTATION BOARD

Florida Central Railroad Company, Inc. ("FCEN") hereby submits this Verified Notice of Exemption under 49 C.F.R. § 1152.50 for the abandonment of FCEN's line of railroad (the "Forest City Spur") extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. A map showing the line to be abandoned is attached hereto as Exhibit A.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), FCEN submits the following information:

General Corporate Information: 49 C.F.R. § 1152.22(a)(1) - (2)

FCEN is a Class III common carrier by rail subject to the jurisdiction of the Surface Transportation Board under the Interstate Commerce Act, Subtitle IV, Chapter 105 of Title 49 of the United States Code. FCEN operates approximately 67 miles of rail line in central Florida, and commenced operations in 1986 after acquiring several lines (including the line to be abandoned) from CSX Transportation, Inc. ("CSXT"). Florida Central Railroad Company -- Exemption, Acquisition and Operation -- Seaboard System Railroad, Inc., Finance Docket No.

30923 (ICC served December 10, 1986). FCEN later leased an additional, connecting line from CSXT. Florida Central Railroad Company -- Lease and Operation Exemption -- CSX Transportation, Inc., Finance Docket No. 31642 (ICC served September 5, 1990).

FCEN is a wholly-owned subsidiary of Pinsly Railroad Company, a non-carrier holding company which also controls four other Class III rail carriers in Florida and Massachusetts. See Pinsly Railroad Company -- Continuance in Control Exemption -- Arkansas Midland Railroad Company, Inc., Finance Docket No. 32001 (ICC served March 6, 1992).

The complete name and address of FCEN is:

Florida Central Railroad Company, Inc.
301 Orange Avenue
P.O. Box 967
Plymouth, FL 32768-0967

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), FCEN seeks to abandon its line of railroad extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. No rail freight service has been provided on the Forest City Spur since November, 1994. Dinner train operations were conducted on the line until 1996.

The Forest City Spur was part of a rail line from Forest City through Toronto to Winter Garden, Florida which FCEN acquired from CSXT in 1986. The easternmost segment of that line, from milepost F-1.1 (the east limit of the current abandonment) to milepost F-0.0 in Forest City, was abandoned in stages in 1989 and 1997. Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Seminole County, FL, Docket No. AB-319X (ICC served October 18, 1989); Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In

Seminole County, FL, Docket No. AB-319 (Sub-No. 3X) (STB served January 13, 1997). At Toronto, the Forest City Spur crosses FCEN's Orlando-Umatilla line and connects just west of the diamond with FCEN's remaining line to Winter Garden. FCEN previously used a short segment of the Forest City Spur at Toronto for movements between the Orlando-Umatilla line and the Winter Garden line, but those operations have been relocated to a new, direct connection in the northwest quadrant of the crossing.

While FCEN acquired the track assets comprising the Forest City Spur from CSXT in 1986, CSXT retained ownership of the underlying right-of-way of the line. In similar circumstances (including prior abandonments involving FCEN), the Interstate Commerce Commission determined that CSXT did not retain any residual common carrier obligation on such lines and that only the current carrier was required to obtain abandonment authority. E.g., Seminole Gulf Railway, Inc. -- Abandonment Exemption -- In Lee County, FL, Docket No. AB-400 (Sub-No. 2X) (ICC served December 22, 1994) at 4-5 (citing Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Lake City, FL, Docket No. AB-319 (Sub-No. 2X) (ICC served June 14, 1993)).

Abandonment of the Forest City Spur will allow transfer of most of the right-of-way to Seminole County for a significant highway improvement and expansion project involving Bunnell Road, which runs parallel and directly adjacent to the Forest City Spur. FCEN is undertaking the abandonment in cooperation with Seminole County and CSXT. FCEN anticipates that, after abandonment, the short distance of trackage on the Forest City Spur in Orange County will remain in place and be used for railcar storage.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Forest City Spur and its relation to other rail lines, highways and geographic features in the area is attached hereto as Exhibit A.

Applicant's Representative: 49 C.F.R. § 1152.22(a)(7)

Any correspondence regarding the proposed abandonment should be sent to FCEN's representative at the following address:

Thomas J. Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, IL 60606-2832
(312) 252-1500

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The Forest City Spur traverses United States Postal Service ZIP Codes 32714 and 32703.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

FCEN certifies that no local traffic has moved over the Forest City Spur for at least two years and that any overhead traffic formerly handled on the line can be rerouted over other lines. FCEN further certifies that no formal complaint by a user of rail service on the Forest City Spur (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certification and Verification of Bennett J. Biscan, attached hereto as Exhibit B.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

FCEN intends to consummate abandonment of the Forest City Spur on or shortly after January 15, 2005.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

Arrangements are in place for the post-abandonment transfer of most of the right-of-way of the Forest City Spur to Seminole County for a significant road improvement project. FCEN does not believe that the right-of-way would be suitable for other public uses. In any event, because CSXT rather than FCEN owns the underlying right-of-way, agency precedent indicates that a public use condition would be unavailable. E.g., Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Seminole County, FL, Docket No. AB-319X (ICC served December 20, 1989).

Notice Requirement: 49 C.F.R. §§ 1152.50(d)(2), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written prefiling notice of the proposed abandonment is attached hereto as Exhibit C. A certificate that the Environmental/Historic Report accompanying this Notice as Exhibit D has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix P to that Report.

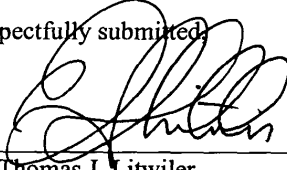
Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the transaction proposed herein is that set forth in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979). No FCEN employees will be adversely affected by the proposed abandonment.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

An Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit D. That report concludes that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Respectfully submitted,

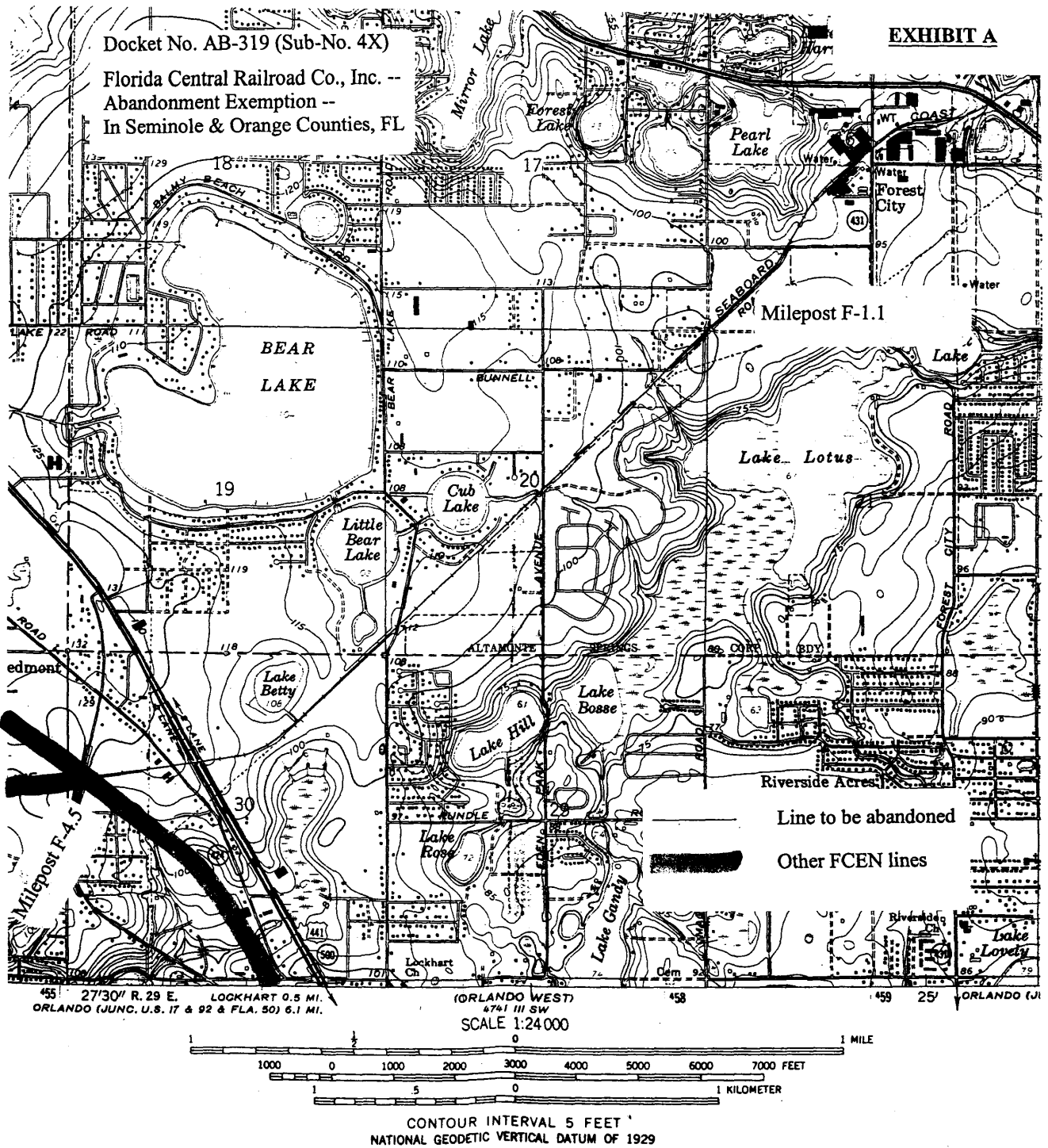
By: 

Thomas J. Litwiler

Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832
(312) 252-1500

**ATTORNEYS FOR FLORIDA CENTRAL
RAILROAD COMPANY, INC.**

Dated: November 23, 2004



NORTH
 HEET

1 aerial photographs
 5 information not

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U.S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

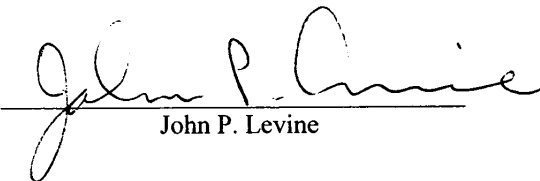
CERTIFICATION AND VERIFICATION

Commonwealth of Massachusetts)
) ss:
County of Hampden)

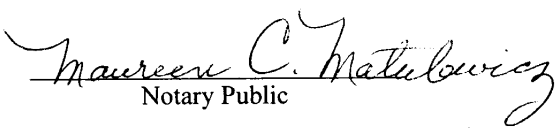
John P. Levine, being duly sworn, deposes and says that he is President of Florida Central Railroad Company, Inc. and that:

1) No local traffic has moved over FCEN's rail line between milepost F-4.5 at Toronto and milepost F-1.1 at Forest City in Seminole and Orange Counties, Florida for at least two years; any overhead traffic formerly handled on the line can be rerouted over other lines; and 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 Board or any U.S. District Court or has been decided in favor of such complainant during the last two years; and

2) He has read the foregoing Notice of Exemption and knows the facts asserted therein, and the same are true as stated.


John P. Levine

SUBSCRIBED AND SWORN TO
before me this 4th day
of November, 2004.


Notary Public

My Commission expires: 03/08/2007

CERTIFICATE OF NOTIFICATION

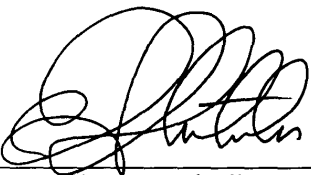
I hereby certify that on October 29, 2004, written notice in the form attached hereto and containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies designated in that subsection:

Mr. José Abreu
Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Military Surface Deployment & Distribution Command
Transportation Engineering Agency
Railroads for National Defense Program
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

National Park Service
Recreation Resources Assistance Division
1849 C Street, N.W.
Washington, DC 20240

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



Thomas J. Litwiler

COPY

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

October 29, 2004

Mr. José Abreu
Secretary
Florida Department of Transportation
605 Suwannee Street
Tallahassee, FL 32399-0450

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

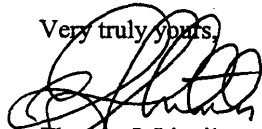
Dear Mr. Abreu:

On or about November 9, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The line traverses United States Postal Service ZIP Codes 32714 and 32703. FCEN's notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for at least the previous two years. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

We are notifying you of the proposed abandonment in accordance with the requirements of 49 C.F.R. § 1152.50(d)(1). As also required by that regulation, FCEN states that, based on information in its possession, the Forest City Spur does not contain federally granted rights-of-way. Any relevant documentation on this subject in FCEN's possession will be made available promptly to those requesting it.

Should you have any questions or need additional information regarding this proposed abandonment, please feel free to contact me at 312-252-1508. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

BEFORE THE
SURFACE TRANSPORTATION BOARD

COPY

DOCKET NO. AB-319 (SUB-NO. 4X)

FLORIDA CENTRAL RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN SEMINOLE AND ORANGE COUNTIES, FL

ENVIRONMENTAL/HISTORIC REPORT

Florida Central Railroad Company, Inc. ("FCEN") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence is attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. **Proposed Action and Alternatives.** FCEN seeks to abandon a line of railroad, referred to herein as the "Forest City Spur," extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The stub-ended line is located in the northern Orlando metropolitan area, and connects with other FCEN lines at Toronto.

No freight traffic of any kind has been handled on the Forest City Spur since November of 1994. Dinner train operations were conducted on the line until 1996. Following abandonment, FCEN will salvage rail and track materials from the portion of the Forest City Spur located in Seminole County. That portion of the right-of-way will be transferred to Seminole County to facilitate a significant local road expansion project involving Bunnell Road,

which runs parallel and directly adjacent to the Forest City Spur.¹ The short distance of trackage in Orange County will remain in place and be used for railcar storage.

No alternatives to the proposed abandonment have been considered. The only alternative is retention of the Forest City Spur in its current, unused state, which would have no environmental impact but would hinder Seminole County's planned highway improvement project on Bunnell Road.

A map showing the location of the Forest City Spur is attached hereto as Appendix A.

2. Transportation System. FCEN does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment. No freight traffic has moved over the Forest City Spur for nearly ten years, and thus no rail traffic will be diverted to other modes as a result of abandonment. FCEN has never conducted overhead rail movements on the stub-ended Forest City Spur, and no passenger trains are operated over the line. Alternative rail service will continue to be available from FCEN at Toronto.

Abandonment of the Forest City Spur will allow permanent closure of a total of six public highway grade crossings (three crossings with automatic flashers and gates and three crossings with automatic flashers). Abandonment also will benefit regional and local transportation systems by facilitating Seminole County's planned improvement of Bunnell Road.

¹ The Forest City Spur was previously owned and operated by CSX Transportation, Inc. ("CSXT"). When FCEN purchased the line from CSXT in 1986, it acquired outright the track and track materials and obtained a lease of and operating rights over the underlying property. Ownership of the real estate comprising the right-of-way remained with CSXT. While FCEN does not own the property underlying the Forest City Spur, its abandonment of the line is necessary to allow any other use or development of that property to proceed.

FCEN has contacted and requested comments from the Florida Department of Transportation. See correspondence attached hereto as Appendix B.

3. Land Use.

(i) FCEN does not foresee any inconsistency with regional and/or local land use plans. As indicated above, abandonment of the Forest City Spur has been undertaken in coordination with Seminole County, which will acquire the portion of the right-of-way within its borders for road improvement purposes. FCEN has contacted and requested comments from Seminole County and from Orange County, the other county through which the line passes. See correspondence attached hereto as Appendices C and D.

(ii) The Natural Resources Conservation Service of the United States Department of Agriculture has confirmed that the proposed abandonment of the Forest City Spur will not affect any prime or unique agricultural land. See correspondence attached hereto as Appendices E and E-1.

(iii) The Florida Department of Environmental Protection has determined that the proposed abandonment of the Forest City Spur is consistent with the Florida Coastal Management Program. See correspondence attached hereto as Appendices F and F-1.

(iv) FCEN does not believe that the right-of-way of the Forest City Spur is suitable for alternative public use under 49 U.S.C. § 10905. Arrangements are already in place for transfer of most of the right-of-way to Seminole County for a significant road improvement project. In addition, a public use condition under Section 10905 would not be available because FCEN does not own the underlying right-of-way.

E.g., Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Seminole County, FL, Docket No. AB-319X (ICC served December 20, 1989).

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight traffic has moved on the Forest City Spur for ten years, and FCEN foresees little or no possibility that new on-line traffic will develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No recyclable commodities have moved over the Forest City Spur for at least a decade, and FCEN foresees little possibility that any on-line recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. No freight traffic has moved on the Forest City Spur for nearly ten years.

(iv) Not applicable. Abandonment of the Forest City Spur will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Seminole and Orange Counties are not class I or nonattainment areas under the Clean Air Act. In any event, abandonment of the Forest City Spur will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Forest City Spur for at least a decade, and no such shipments will be diverted as a result of this abandonment.

FCEN has contacted and requested comments from the Florida Department of Environmental Protection and the U.S. Environmental Protection Agency. See correspondence attached hereto as Appendices G and H. The response of the Florida Department of Environmental Protection does not indicate concerns regarding air quality. See correspondence attached as Appendix G-1.

6. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(5)(i) will be exceeded as a result of the abandonment.

7. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. Abandonment of the Forest City Spur will allow a total of six public rail/highway grade crossings to be eliminated. Abandonment also will facilitate a significant local road improvement project being undertaken by Seminole County. During any salvage operations on the Forest City Spur, precautions will be taken to ensure public safety.

(ii) Not applicable. No hazardous materials have been transported on the Forest City Spur for at least a decade, and no such shipments will be diverted as a

result of abandonment. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) There are no known hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the Forest City Spur.

8. Biological Resources.

(i) The Forest City Spur is located in a well-developed, urban residential and commercial area. The line is paralleled for part of its length by Bunnell Road, and after abandonment the line's right-of-way will be used for expansion of that road. Salvage operations will be handled using existing access routes. FCEN thus does not believe that any critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, or that any endangered or threatened species are present in the area or would be adversely affected. FCEN has requested comments from the Florida Department of Environmental Protection, the Florida Fish & Wildlife Conservation Commission and the U.S. Fish & Wildlife Service. See correspondence attached as Appendices G, I and J. The response of the Florida Department of Environmental Protection does not indicate concerns with respect to critical habitats or threatened or endangered species. See correspondence attached as Appendix G-1.

(ii) The Forest City Spur does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. FCEN has contacted and requested comments from the National Park Service, as set forth in Appendix K.

9. Water. Any water quality effects of the proposed abandonment should be minimal, as the Forest City Spur does not cross any bodies of water. FCEN does not anticipate

discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act. To FCEN's knowledge, there are no wetlands located in or along the right-of-way of the Forest City Spur, and FCEN is unaware of any 100-year flood plains that would be affected by abandonment.

Information on the proposed abandonment has been provided to the Florida Department of Environmental Protection, the Florida Fish & Wildlife Conservation Commission, the U.S. Environmental Protection Agency, the U.S. Fish & Wildlife Service and the United States Army Corps of Engineers. See correspondence attached as Appendices G, H, I, J and L. The response of the Florida Department of Environmental Protection does not indicate concerns regarding water quality. See correspondence attached as Appendix G-1.

* * * * *

In addition to the agencies referenced above, FCEN also has contacted and requested comments from the Florida State Clearinghouse within the Florida Department of Environmental Protection (functioning as the state single point of contact) and the National Geodetic Survey. See correspondence attached as Appendices M and N. The Florida State Clearinghouse has indicated that the proposed abandonment is consistent with the Florida Coastal Management Program, and not raised other concerns regarding abandonment. See correspondence attached as Appendix M-1. The National Geodetic Survey has identified two geodetic station markers potentially in the vicinity of the Forest City Spur. See correspondence attached as Appendix N-1. FCEN does not foresee disturbance of any of these markers in connection with the proposed abandonment, and will provide appropriate notification to NGS should any relocation become necessary.

HISTORIC REPORT - 49 C.F.R. § 1105.8(D)

1. Map. A map of the Forest City Spur is attached hereto as Appendix A.
2. Description of Line. The line to be abandoned begins at milepost F-4.5 at Toronto, Florida, where it connects with FCEN's Toronto-Winter Garden line and crosses and connects with FCEN's Orlando-Umatilla line. From Toronto, the Forest City Spur extends in a generally northeasterly direction approximately 3.4 miles to the end of track at milepost F-1.1 in Forest City, Florida. The area around the Forest City Spur is flat, developed and urban/suburban, with residential land uses prevailing along most of the line and some industrial locations near Toronto. The eastern end of the line is directly paralleled by Bunnell Road. The single-track Forest City Spur is laid with 85-pound rail rolled in 1927 and was previously maintained to FRA Class 1 standards. The width of the right-of-way is generally 60 feet.
3. Photographs. Not applicable. There are no buildings, bridges or other structures on the Forest City Spur which are fifty years old or older.
4. Information on Structures. Not applicable. There are no buildings, bridges or other structures on the Forest City Spur which are fifty years old or older.
5. History of Operations. The Forest City Spur was constructed between 1885 and 1888 by the Orange Belt Railway Company as part of a route between Sanford and St. Petersburg, Florida. That company was acquired in 1894 by the Sanford & St. Petersburg Railway Company, which was itself subsequently acquired by the Atlantic Coast Line Railroad Company ("ACL") in 1903.

ACL operated the Forest City Spur as part of a Sanford-St. Petersburg route for much of the last century. In 1967, ACL merged with the Seaboard Air Line Railroad Company to form the Seaboard Coast Line Railroad Company ("SCL"). See Seaboard Air Line R. Co. -- Merger -- Atlantic Coast Line, 320 I.C.C. 122 (1963). After SCL and the Chessie System were

united under common control, see CSX Corp. -- Control Chessie and Seaboard C.L.I., 363 I.C.C. 521 (1980), SCL was merged with several affiliates and renamed Seaboard System Railroad, Inc. ("SBD") in 1982. In 1983, SBD abandoned its rail line between Forest City and Sanford, leaving a line extending west from Forest City. Seaboard System Railroad, Inc. -- Abandonment Exemption -- Between Sanford and Forest City, FL, Finance Docket No. 30227 (ICC served September 1, 1983).

In 1986, FCEN bought several lines from CSX Transportation, Inc., SBD's successor, including the remaining line into Forest City. Florida Central Railroad Company -- Exemption, Acquisition and Operation -- Seaboard System Railroad, Inc., Finance Docket No. 30923 (ICC served December 10, 1986). FCEN abandoned 0.9 miles of track in Forest City in 1989, and another 0.2 miles of track at the end of the Forest City line in 1997. Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Seminole County, FL, Docket No. AB-319X (ICC served October 18, 1989); Florida Central Railroad Company, Inc. -- Abandonment Exemption -- In Seminole County, FL, Docket No. AB-319 (Sub-No. 3X) (STB served January 13, 1997).

FCEN provided rail freight service on the Forest City Spur until November, 1994, but no traffic has moved on the line since that time. Given that no freight operations have been conducted on the line for nearly a decade, no operational changes are anticipated as a result of this abandonment.

6. Engineering Documents. FCEN does not possess engineering drawings or records that would be useful in documenting any structures on the Forest City Spur. As indicated above, there are no structures on the line that are fifty years old or older.

7. Historic Criteria. Based on readily available information in its possession, FCEN does not believe that any site or structure listed in or meeting the criteria for listing in the Natural Register of Historic Places is located on the Forest City Spur or will be affected by the abandonment. FCEN also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the abandonment.

The Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation, in its capacity as SHPO, has confirmed that no historic properties will be affected by the proposed abandonment. See correspondence attached as Appendices O and O-1.

8. Ground Disturbances. Based on readily available information in its possession, FCEN believes that subsurface ground disturbance occurred when the Forest City Spur was constructed 115 years ago, and in the subsequent development of the surrounding area. FCEN is unaware of any other environmental conditions that might affect the archaeological recovery of resources. Access to the Forest City Spur is very good.

CERTIFICATIONS - 49 C.F.R § 1105.7(c)

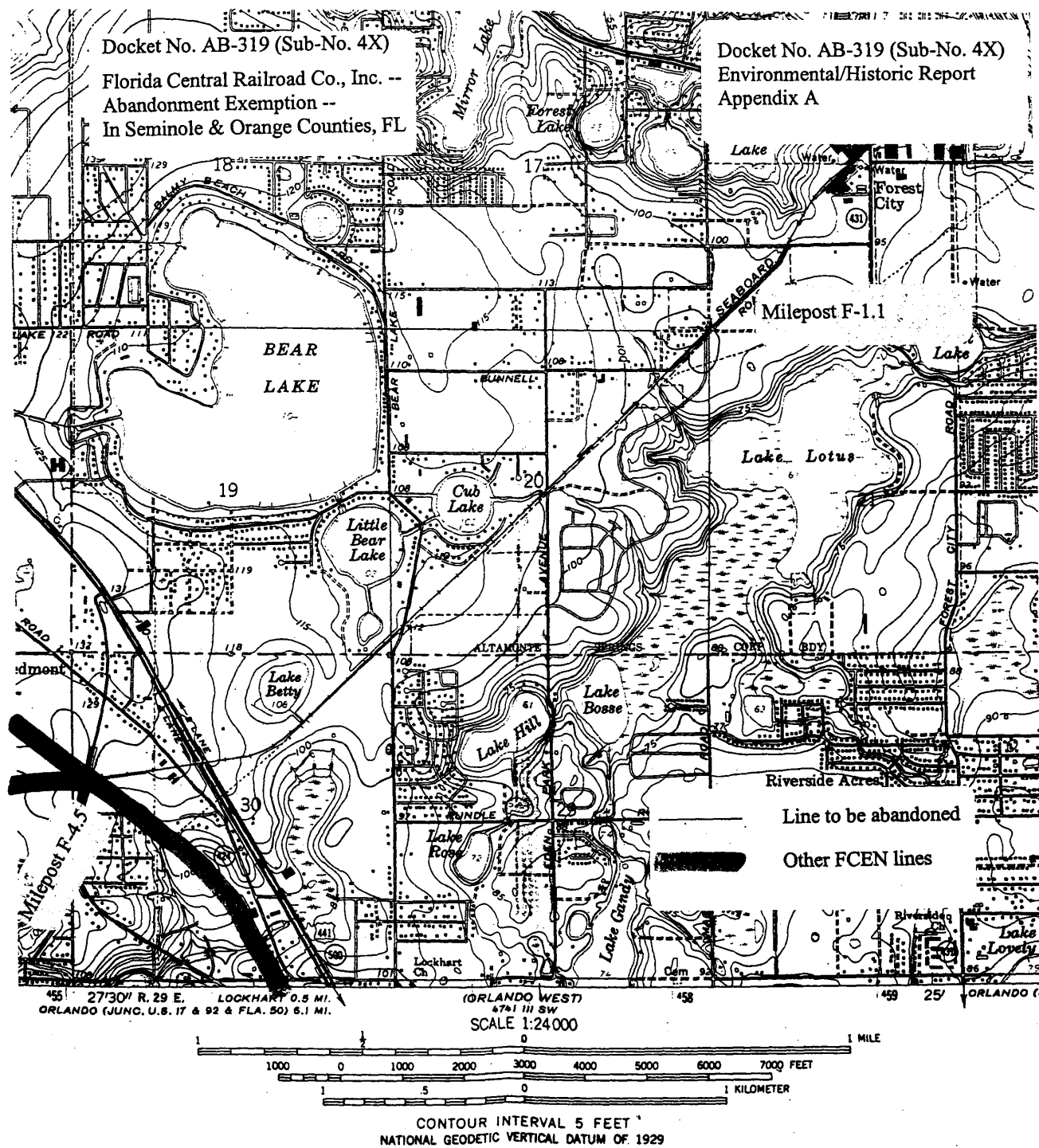
A certification that the foregoing Report has been served on each of the agencies designated in 49 C.F.R. § 1105.7(b) and that FCEN has consulted with all appropriate agencies in preparing this Report is attached hereto as Appendix P. A certification that, in accordance with 49 C.F.R. § 1105.12, FCEN has published notice of the proposed abandonment in a newspaper of general circulation in the counties through which the Forest City Spur passes is attached hereto as Appendix Q.

Docket No. AB-319 (Sub-No. 4X)

Florida Central Railroad Co., Inc. --
Abandonment Exemption --
In Seminole & Orange Counties, FL

Docket No. AB-319 (Sub-No. 4X)

Environmental/Historic Report
Appendix A



NORTH
112T

aerial photographs
information not

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

Mr. J. Fred Wise
Manager, Rail Office
Florida Department of Transportation
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Mr. Wise:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Forest City Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;

FLETCHER & SIPPEL LLC

Mr. J. Fred Wise
September 20, 2004
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before FCEN's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

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Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Mr. Daryl G. McLain
Chairman, Board of County Commissioners
Seminole County
1101 East First Street
Samford, FL 32711

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Mr. McLain:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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FLETCHER & SIPPEL LLC

Mr. Daryl G. McLain
September 20, 2004
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

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Section of Environmental Analysis
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Washington, DC 20423-0001

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Very truly yours,

TJ Litwiler (wcl)

Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

September 20, 2004

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Mr. Richard T. Crotty
Chairman
Board of County Commissioners
Orange County
201 South Rosalind Ave., 5th Floor
Orlando, FL 32801

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Mr. Crotty:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Forest City Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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FLETCHER & SIPPEL LLC

Mr. Richard T. Crotty
September 20, 2004
Page 2

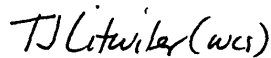
9. Prime agricultural land;
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12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342; 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

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Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

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Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

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Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Mr. T. Niles Glasgow
State Conservationist
USDA Natural Resources Conservation Service
P.O. Box 141510
Gainesville, FL 32614-1510

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Mr. Glasgow:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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8. Wildlife sanctuaries or refuges and national or state parks or forests;

FLETCHER & SIPPEL LLC

Mr. T. Niles Glasgow
September 20, 2004
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

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Very truly yours,

TJ Litwiler (wcs)

Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment

United States Department of Agriculture



NRCS

Natural
Resources
Conservation
Service

P.O. Box 141510
Gainesville, FL 32614
Phone: (352) 338-9533
<http://www.fl.nrcs.usda.gov>

2614 NW 43rd Street
Gainesville, FL 32606
Fax: (352) 338-9578

September 29, 2004

Docket No. AB-319 (Sub-No. 4X)
Environmental/Historic Report
Appendix E-1

Mr. Thomas Litwiler
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2832

RE: Docket No. AB-319 (sub-No.4X)
Florida Central Railroad Company, Inc. - Abandonment
Exemption - In Seminole and Orange Counties, Florida

Dear Mr. Litwiler:

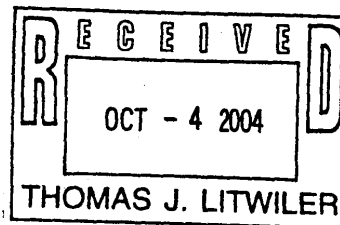
I have reviewed the documents which were submitted for the referenced proposal and determined that no prime or unique Agricultural land will be affected by the abandonment of the railroad.

Please contact me if there are any questions (352) 338-9535.

Sincerely,

Warren Henderson
State Soil Scientist

cc: Surface Transportation Board



FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

September 20, 2004

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Ms. Lynn F. Griffin
Administrator
Florida Coastal Management Program
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS-47
Tallahassee, FL 32399-3000

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Ms. Griffin:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
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FLETCHER & SIPPEL LLC

Ms. Lynn F. Griffin
September 20, 2004
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before FCEN's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment



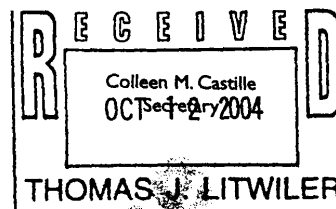
Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

October 7, 2004

Docket No. AB-319 (Sub-No. 4X)
Environmental/Historic Report
Appendix F-1



Mr. Thomas J. Litwiler, Attorney at Law
Fletcher & Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2875

RE: Intermodal Surface Transportation Board – Florida Central Railroad Company, Inc. –
Abandonment Exemption, Docket No. AB-319 (Sub-No. 4X) – Seminole and Orange
Counties, Florida.
SAI # FL200410070106C

Dear Mr. Litwiler:

Florida State Clearinghouse staff, pursuant to Presidential Executive Order 12372,
Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-
1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335,
4341-4347, as amended, has reviewed the referenced Forest City Spur abandonment notice.

Based on the information contained in the notice, the state has determined that the
proposed federal action is consistent with the Florida Coastal Management Program. Please note
that we have forwarded copies of your notice to the Florida Department of Environmental
Protection-Office of Greenways and Trails, Florida Department of Transportation, and Florida
Department of State-Division of Historical Resources for informational purposes.

Thank you for the opportunity to review this proposal. If you have any questions
regarding this letter, please contact Ms. Lauren P. Milligan at (850) 245-2163.

Sincerely,

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/

cc: Surface Transportation Board, DC
Jim Wood, DEP, OGT
Charlotte Hand, FDOT
Scott Edwards, DOS

"More Protection, Less Process"

Printed on recycled paper.

FLETCHER & SIPPEN LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

September 20, 2004

Ms. Sally B. Mann
Director, Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS-47
Tallahassee, FL 32399-3000

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Ms. Mann:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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FLETCHER & SIPPEL LLC

Ms. Sally B. Mann
September 20, 2004
Page 2

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Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment



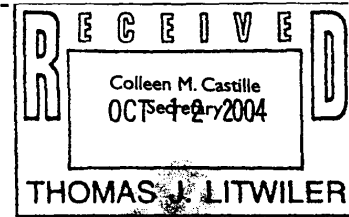
Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

October 7, 2004

Docket No. AB-319 (Sub-No. 4X)
Environmental/Historic Report
Appendix G-1



Mr. Thomas J. Litwiler, Attorney at Law
Fletcher & Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2875

RE: Intermodal Surface Transportation Board – Florida Central Railroad Company, Inc. –
Abandonment Exemption, Docket No. AB-319 (Sub-No. 4X) – Seminole and Orange
Counties, Florida.
SAI # FL200410070106C

Dear Mr. Litwiler:

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SBM/

cc: Surface Transportation Board, DC
Jim Wood, DEP, OGT
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Scott Edwards, DOS

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ATTORNEYS AT LAW

29 North Wacker Drive
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Chicago, Illinois 60606-2875

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Mr. J.I. Palmer, Jr.
Regional Administrator, Region IV
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Mr. Palmer:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Forest City Spur so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise or authority):

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3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;

FLETCHER & SIPPEL LLC

Mr. J.I. Palmer, Jr.
September 20, 2004
Page 2

9. Prime agricultural land;
10. Existing or potential safety hazards;
11. Coastal Zone Management Areas; or
12. The need for permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

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Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

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(312) 252-1508
tlitwiler@fletcher-sippel.com

Mr. Brian S. Barnett
Acting Director
Office of Environmental Services
Florida Fish & Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Mr. Barnett:

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FLETCHER & SIPPEL LLC

Mr. Brian S. Barnett
September 20, 2004
Page 2

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Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

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(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Mr. Donald Palmer
Acting Assistant Field Supervisor
U.S. Fish & Wildlife Service
6620 Southpoint Drive South, Suite 310
Jacksonville, FL 32216-0958

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Mr. Palmer:

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FLETCHER & SIPPEL LLC

Mr. Donald Palmer
September 20, 2004
Page 2

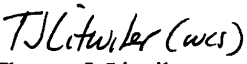
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Very truly yours,


Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

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(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

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Fax: (312) 252-2400
www.fletcher-sippel.com

Ms. Patricia A. Hooks
Regional Director, Southeast Region
National Park Service
100 Alabama Street, SW
Atlanta, GA 30303

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. – Abandonment
Exemption – In Seminole and Orange Counties, Florida

Dear Ms. Hooks:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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FLETCHER & SIPPEL LLC

Ms. Patricia A. Hooks
September 20, 2004
Page 2

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Attorney for Florida Central
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TJL:tl

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tlitwiler@fletcher-sippel.com

September 20, 2004

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Ms. Irene Sadowski
Team Leader, Atlantic Permits Section
U.S. Army Corps of Engineers
Jacksonville District, Regulatory Division
2460 North Courtenay Parkway, Suite 204
Jacksonville, FL 32232-0019

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Ms. Sadowski:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

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FLETCHER & SIPPEL LLC

Ms. Irene Sadowski
September 20, 2004
Page 2

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TJL:tl

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(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Ms. Lauren P. Milligan
Coordinator, Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS-47
Tallahassee, FL 32399-3000

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Ms. Milligan:

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FLETCHER & SIPPEL LLC

Ms. Lauren P. Milligan
September 20, 2004
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Attorney for Florida Central
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Attachment



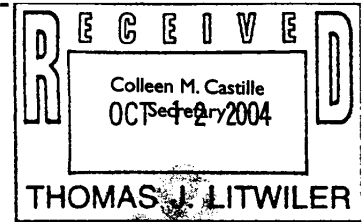
Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

October 7, 2004

Docket No. AB-319 (Sub-No. 4X)
Environmental/Historic Report
Appendix M-1



Mr. Thomas J. Litwiler, Attorney at Law
Fletcher & Sippel, LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2875

RE: Intermodal Surface Transportation Board – Florida Central Railroad Company, Inc. –
Abandonment Exemption, Docket No. AB-319 (Sub-No. 4X) – Seminole and Orange
Counties, Florida.
SAI # FL200410070106C

Dear Mr. Litwiler:

Florida State Clearinghouse staff, pursuant to President Bush's Executive Order 12372,
Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-
1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335,
4341-4347, as amended, has reviewed the referenced Forest City Spur abandonment notice.

Based on the information contained in the notice, the state has determined that the
proposed federal action is consistent with the Florida Coastal Management Program. Please note
that we have forwarded copies of your notice to the Florida Department of Environmental
Protection-Office of Greenways and Trails, Florida Department of Transportation, and Florida
Department of State-Division of Historical Resources for informational purposes.

Thank you for the opportunity to review this proposal. If you have any questions
regarding this letter, please contact Ms. Lauren P. Milligan at (850) 245-2163.

Sincerely,

Sally B. Mann

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/

cc: Surface Transportation Board, DC
Jim Wood, DEP, OGT
Charlotte Hand, FDOT
Scott Edwards, DOS

"More Protection, Less Process"

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FLETCHER & SIPPET LLC

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September 20, 2004

Mr. Richard A. Snay
Chief, Spatial Reference System Division
National Geodetic Survey
1315 East West Highway, N/NGS2
Silver Spring, MD 20910-3282

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Mr. Snay:

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FLETCHER & SIPPEN LLC

Mr. Richard A. Snay
September 20, 2004
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Very truly yours,

TJ Litwiler (wcs)
Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

TJL:tl

Attachment



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

SEP 29 2004

Docket No. AB-319 (Sub-No. 4X)
Environmental/Historic Report
Appendix N-1

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Florida Central Railroad Company, Inc., for 3.4 miles of rail line of the Forest City Spur from milepost F-4.5 at Toronto, Florida to the end of the track at milepost F-1.1 in Forest City, Florida, STB Docket No. AB-319 (Sub-No. 4X), has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 2 geodetic station markers have been identified that may be affected by the proposed abandonment; a listing of these markers is enclosed. Additional information about these station markers can be obtained via the Internet or NGS CD-ROM. A fact sheet for these two data retrieval methods is enclosed. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days notification in advance of such activities in order to plan for their relocation.

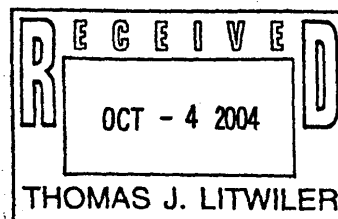
If further information is needed for these geodetic markers, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
N/NGS1x1 - R. Taylor

FLORIDA CENTRAL RAILROAD COMPANY, INC.

IN SEMINOLE AND ORANGE COUNTIES, FLORIDA

BETWEEN TORONTO AND FOREST CITY

DOCKET NO. AB-319 (SUB-NO. 4X)

2 GEODETIC CONTROL MARKS IN THE PROPOSED ABANDONMENT AREA

PIDS	DESIGNATION	LATITUDE	LONGITUDE
AA6552	L 651 014	N283804	W0812705
DE9916	Q 458	N283807	W0812709



National Geodetic Survey - News Flash!



GEODETTIC DATA AVAILABLE FREE ON THE INTERNET

Are you interested in getting the most current position, height, and descriptive information for all the geodetic control points in the National Spatial Reference System? Are you interested in getting this information immediately, free of cost, and whenever you want it? With an Internet connection, this information is yours to download.

The National Geodetic Survey's (NGS) data sheet contains position, height, and descriptive information for approximately 750,000 control points throughout the United States. The data sheet provides:

- ▶ The geodetic coordinates and the orthometric height for each point
- ▶ The horizontal and vertical datums on which the information is based
- ▶ State plane coordinates and Universal Transverse Mercator coordinates
- ▶ Modeled geoid height, ellipsoidal height, modeled gravity, and Laplace correction
- ▶ A description of the station's location and how to reach it

To obtain this information, set your Web browser to
http://www.ngs.noaa.gov/products_services.html

For more information contact:

NOAA, National Geodetic Survey, N/NGS12
1315 East-West Highway, Station 09202
Silver Spring, MD 20910

Telephone: (301) 713-3242; Fax: (301) 713-4172
Monday through Friday, 7:00 a.m. - 4:30 p.m., Eastern Time

<http://www.ngs.noaa.gov>



NGS: Tying America Together

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 920
Chicago, Illinois 60606-2875

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

September 20, 2004

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

Ms. Laura A. Kammerer
Supervisor, Compliance & Review Section
Bureau of Historic Preservation
Florida Department of State
500 South Bronough Street
Tallahassee, FL 32399-0250

Re: **Docket No. AB-319 (Sub-No. 4X)**
Florida Central Railroad Company, Inc. -- Abandonment
Exemption -- In Seminole and Orange Counties, Florida

Dear Ms. Kammerer:

On or about November 1, 2004, Florida Central Railroad Company, Inc. ("FCEN") expects to file with the Surface Transportation Board a notice of exemption for the abandonment of FCEN's line of railroad, referred to herein as the Forest City Spur, extending from milepost F-4.5 at Toronto, Florida to the end of track at milepost F-1.1 in Forest City, Florida, a distance of approximately 3.4 miles in Seminole and Orange Counties, Florida. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50(b), covering abandonment of rail lines over which no local traffic has moved for the previous two years. A map showing the location of the Forest City Spur is attached for your reference. After abandonment, rail and track materials will be removed from the line, and most of the right-of-way will be transferred to Seminole County for highway improvement purposes.

In accordance with the Board's historic preservation regulations, 49 C.F.R. § 1105.8, we are advising you of the proposed abandonment of the Forest City Spur so that you may determine whether this action will have any effect on any historic structures or sites. There are no railroad structures of any kind 50 years old or older located on the Forest City Spur. FCEN also is unaware of any historic sites involved in the proposed abandonment.

We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-319 (Sub-No. 4X) and be sent to the undersigned, as counsel for FCEN, with a copy to:

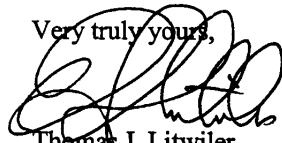
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W., Room 504
Washington, DC 20423-0001

FLETCHER & SIPPEL LLC

Ms. Laura A. Kammerer
September 20, 2004
Page 2

In accordance with the Board's regulations, a copy of the Environmental/Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty days before FCEN's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 312-252-1508. Thank you for your assistance on this matter. Kind regards.

Very truly yours,



Thomas J. Litwiler
Attorney for Florida Central
Railroad Company, Inc.

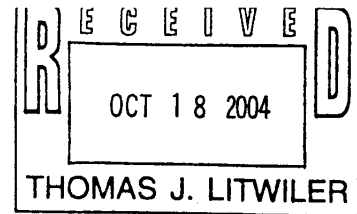
TJL:tl

Attachment



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

Docket No. AB-319 (Sub-No. 4X)
 Environmental/Historic Report
 Appendix O-1



October 11, 2004

Mr. Thomas J. Litwiler
 Fletcher & Sippel LLC
 29 North Wacker Drive
 Chicago, Illinois 60606-2875

RE: DHR Project File Number: 2004-9566
 Received by DHR September 23, 2004
 Surface Transportation Board - Abandonment Exemption
 Docket No. AB-319 (Sub-No. 4X) – Forest City Spur
 Seminole and Orange Counties

Dear Mr. Litwiler:

Our office received and reviewed the above referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended and *36 CFR Part 800: Protection of Historic Properties*. The State Historic Preservation Officer is to advise Federal agencies as they identify historic properties (listed or eligible for listing, in the *National Register of Historic Places*), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

Based on the information provided, it is the opinion of this office that no historic properties will be affected by this undertaking.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservationist, by electronic mail sedwards@dos.state.fl.us, or at 850-245-6333 or 800-847-7278.

Sincerely,

for *Laura A. Kammerer, Deputy SHPO*
 Frederick Gaske, Director, and
 State Historic Preservation Officer

XC: Surface Transportation Board

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
 (850) 245-6300 • FAX: 245-6435

☐ Archaeological Research
 (850) 245-6444 • FAX: 245-6436

☒ Historic Preservation
 (850) 245-6333 • FAX: 245-6437

☐ Historical Museums
 (850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office
 (561) 279-1475 • FAX: 279-1476

☐ St. Augustine Regional Office
 (904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office
 (813) 272-3843 • FAX: 272-2340

CERTIFICATE OF SERVICE

I hereby certify that Florida Central Railroad Company, Inc. has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and that on October 20, 2004 a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the following agencies as designated in 49 C.F.R. § 1105.7(b):

Mr. J. Fred Wise
Manager, Rail Office
Florida Department of Transportation
605 Suwannee Street, MS-25
Tallahassee, FL 32399-0450

Ms. Sally B. Mann
Director, Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS-47
Tallahassee, FL 32399-3000

Mr. Brian S. Barnett
Acting Director
Office of Environmental Services
Florida Fish & Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Ms. Lauren P. Milligan
Coordinator, Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS-47
Tallahassee, FL 32399-3000

Ms. Irene Sadowski
Team Leader, Atlantic Permits Section
U.S. Army Corps of Engineers
Jacksonville District, Regulatory Division
2460 North Courtenay Parkway, Suite 204
Jacksonville, FL 32232-0019

Mr. Donald Palmer
Acting Assistant Field Supervisor
U.S. Fish & Wildlife Service
6620 Southpoint Drive South, Suite 310
Jacksonville, FL 32216-0958

Mr. J.I. Palmer, Jr.
Regional Administrator, Region IV
U.S. Environmental Protection Agency
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Mr. Richard H. Sussman
Chief, Planning and Compliance Division
National Park Service, Southeast Region
100 Alabama Street, S.W.
Atlanta, GA 30303

Mr. Richard A. Snay
Chief, Spatial Reference System Division
National Geodetic Survey
N/NGS2, SSMC3, Room 8828
1315 East West Highway
Silver Spring, MD 20910-3282

Mr. Daryl G. McLain, Chairman
Board of County Commissioners
Seminole County
1101 East First Street
Sanford, FL 32711

Mr. Richard T. Crotty, Chairman
Board of County Commissioners
Orange County
201 South Rosalind Avenue, 5th Floor
Orlando, FL 32801

Mr. Warren G. Henderson, Jr.
State Soil Scientist
USDA Natural Resources Conservation Service
P.O. Box 141510
Gainesville, FL 32614-1510

Ms. Laura A. Kammerer
Deputy State Historic Preservation Officer
Bureau of Historic Preservation
Florida Department of State
500 South Bronough Street
Tallahassee, FL 32399-0250

A handwritten signature in black ink, appearing to read 'T. Litwiler', is written over a horizontal line.

Thomas J. Litwiler

Dated: November 23, 2004

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-319 (SUB-NO. 4X)

FLORIDA CENTRAL RAILROAD COMPANY, INC.
-- ABANDONMENT EXEMPTION --
IN SEMINOLE AND ORANGE COUNTIES, FL

**CERTIFICATION OF PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.12**

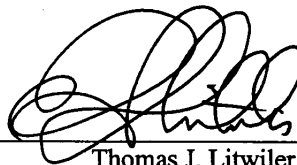
I, Thomas J. Litwiler, an attorney for Florida Central Railroad Company, Inc.,
hereby certify as follows:

1. I have contacted the following newspapers of general circulation for the
counties in which the rail line to be abandoned in this proceeding is located, and arranged for the
publication of a Notice of Intent to Abandon pursuant to 49 C.F.R. § 1105.12:

Seminole County	-	<i>The Sanford Herald</i> 300 North French Avenue P.O. Box 1667 Sanford, FL 32772-1667
Orange County	-	<i>The West Orange Times</i> 720 South Dillard Street Winter Garden, FL 34787

2. The Notice of Intent to Abandon was published in *The Sanford Herald* on
November 7, 2004 and in *The West Orange Times* on November 11, 2004.

3. Proofs of publication from *The Sanford Herald* and *The West Orange
Times* are attached.



Thomas J. Litwiler

Dated: November 23, 2004

THE SANFORD HERALD

Published Twice Weekly
Sanford, Seminole County, Florida

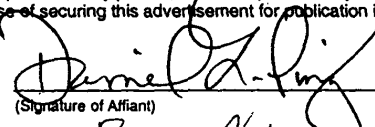
STATE OF FLORIDA
COUNTY OF SEMINOLE:

Before the undersigned authority personally appeared Daniel L. Ping, who on oath says that he is Publisher of The Sanford Herald, a twice weekly newspaper published by the Seminole Herald Newspaper Group at Sanford, in Seminole County, Florida; that the attached copy of the advertisement,

being a Notice of Intent in the matter of
Nov. 9, 2004

_____ in the _____ Court,
was published in said newspaper in the issues of _____
Nov. 7, 2004

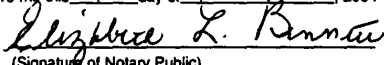
Affiant further says that said The Sanford Herald is a newspaper published by the Seminole Herald Newspaper Group at Sanford, in said Seminole County, Florida, and that the said newspaper has heretofore been continuously published in said Seminole County, Florida, twice weekly and has been entered as periodicals matter at the post office in Sanford, in said Seminole County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


(Signature of Affiant)

Sworn to and subscribed before me this 7 day of Nov., 2004



Elizabeth L. Bennett
My Commission DD007927
Expires March 11 2005


(Signature of Notary Public)

Personally Known or Produced Identification ☒

THE WEST ORANGE TIMES

WINTER GARDEN, FLORIDA

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
COUNTY OF ORANGE

Before the undersigned personally appeared Andrew Bailey who on oath says he is Publisher of THE WEST ORANGE TIMES a weekly newspaper published at Winter Garden in Orange County, Florida; that the attached advertisement was published in said newspaper in the issues of:

11/11/04

Affiant further says that the said WEST ORANGE TIMES is a newspaper published at Winter Garden, in said Orange County, Florida, and that said newspaper has heretofore been continuously published in said Orange County, Florida, each week and has been entered as second class mail metered at the post office in Winter Garden, in said Orange County, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn and subscribed before me the Eleventh
Day of November, 2004.


Notary Public, State of Florida
Jackie Browder
(SEAL)

