

LAW OFFICES OF
LOUIS E. GITOMER, LLC

LOUIS E. GITOMER
Lou@lgraillaw.com

600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 • (202) 466-6532
FAX (410) 332-0885

MELANIE B. YASBIN
Melanie@lgraillaw.com
410-296-2205

December 6, 2018

246857

Ms. Victoria Rutson
Director, Office of Environmental Analysis
Surface Transportation Board
395 E. Street S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
December 6, 2018
Part of
Public Record

Re: **Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL**

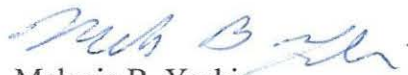
Dear Ms. Rutson:

On or about December 6, 2018, we expect to be filing with the Surface Transportation Board (“STB”), a Verified Notice of Exemption for CSX Transportation, Inc. (“CSXT”) to abandon an approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL.

Enclosed for electronic filing is the Combined Environmental and Historic Report (“CEHT”) which describes the proposed action and any expected environmental and/or historical effects, as well as maps of the affected area. A draft CEHR was mailed via first class mail to the parties required under 49 C.F.R. 1105.7 and under 49 C.F.R. 1105.8(c) on November 14, 2018.

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

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

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

Docket No. AB-55 (Sub-No. 786X)

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

Dated: December 6, 2018

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 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code 32609.

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.

(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 Alachua County by letter dated November 14, 2018 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. A copy of this Preliminary CEHR has also been mailed to the appropriate local and state agencies for their information and further comment. CSXT received comments from the City of Gainesville on November 29, 2018, stating that a meeting was scheduled for December 3, 2018 and that a response was being prepared (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 November 14, 2018 (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 November 14, 2018 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR.

(iv) CSXT believes the Line would not 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 public or private crossings on the Line.

(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 November 14, 2018 (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 November 14, 2018 (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 November

14, 2018 (*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 November 27, 2018, USEPA stated that it had no environmental concerns or comments (*See Exhibit 2*). By e-mail dated December 4, 2018, the Florida State Clearinghouse states that it does not have any comments or concerns. 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 November 14, 2018 (*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 November 14, 2018 (*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 is approximately 124 feet. The Line begins between near NE 28th Place and NE 1st Blvd. The line runs south and ends at NW 23rd Ave.

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 ACL was incorporated on March 14, 1836, as the Richmond and Petersburg Railroad Company, and on April 23, 1900, the name was changed to Atlantic Coast Line Railroad Company.

From 1902 through 1912, the ACL merged with a number of small railroads extending from Virginia to Florida. Four more mergers occurred during and immediately after World War II, and two in the 1950's. At the time of the ACL's merger with the Charleston and Western Carolina in 1959, the railroad owned 5,325 miles of line and leased additional lines, for a system total of 5,742 miles. On July 1, 1967, the Seaboard Air Line (SAL) and ACL merged to form the

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

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.

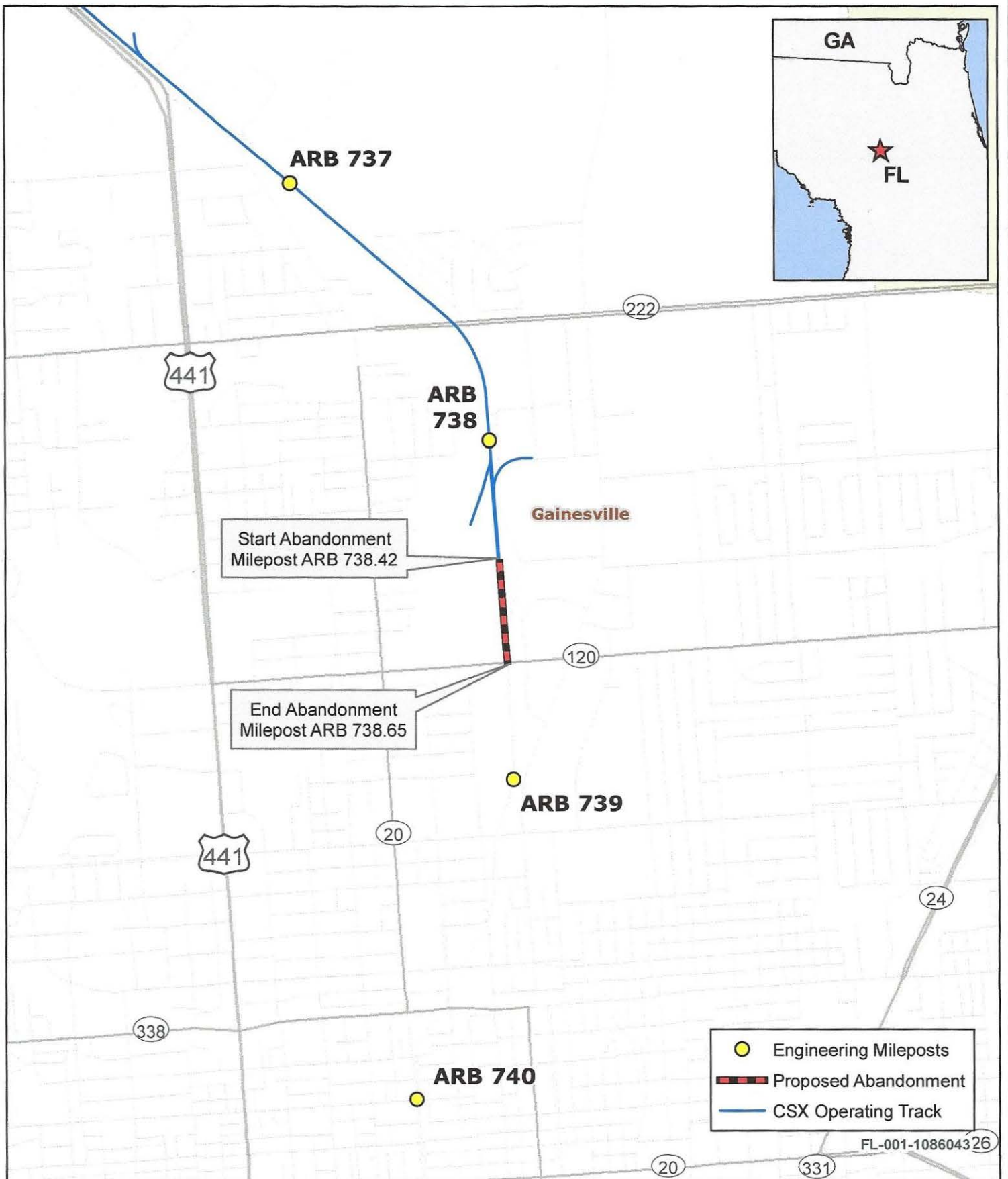
Based on a review of its records, CSXT believes that there are no known subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources.

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 November 14, 2018 (*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



CSX Transportation, Inc.
Proposed Abandonment
Gainesville, Alachua County, FL
Milepost ARB 738.42 to ARB 738.65
Total Distance of approx. 0.23 Miles
Jacksonville Division - Deerhaven Subdivision
STB Docket No. AB 55 (Sub-No. 786X)

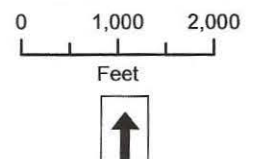


EXHIBIT 2 – LETTERS (WITHOUT MAPS)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

The City of Gainesville
Mayor Lauren Poe
200 East University Ave
Gainesville, FL 32601

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Mayor Poe:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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,


Gene Payne
Enclosures (3)

Melanie Yasbin

Subject: FW: Re: STB Docket No. AB-55 (sub-No. 786X), CSX Transportation Inc.-Abandonment Exemption-in Alachua County, FL

From: Payne, Gene [mailto:Gene_Payne@csx.com]
Sent: Thursday, November 29, 2018 10:16 AM
To: Melanie Yasbin <Melanie@lgrailaw.com>
Subject: FW: Re: STB Docket No. AB-55 (sub-No. 786X), CSX Transportation Inc.-Abandonment Exemption-in Alachua County, FL

Gene Payne | CSX Transportation

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

From: Hasse, Shai <HasseS1@cityofgainesville.org>
Sent: Thursday, November 29, 2018 10:00 AM
To: Payne, Gene <Gene_Payne@csx.com>
Cc: Mann, Philip R. <mannpr@cityofgainesville.org>
Subject: Re: STB Docket No. AB-55 (sub-No. 786X), CSX Transportation Inc.-Abandonment Exemption-in Alachua County, FL

Dear Sir:

I am writing to inform you that City of Gainesville staff received your letter Re (see subject line above) yesterday. A meeting is scheduled for Monday and a response is being prepared. We apologize for the necessity to request an extension of the 20 day deadline, and hope you will receive our input.

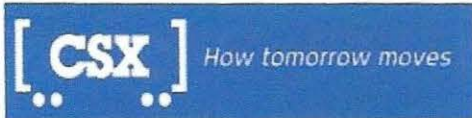
Sincerely,

Gainesville.
Citizen centered
People empowered

Shai Hasse | *Senior Executive Assistant to Phil Mann*
Director of Public Works Department
Direct Line: (352) 393-8327
Email: hasseS1@cityofgainesville.org

Note: Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

This email transmission and any accompanying attachments may contain CSX privileged and confidential information intended only for the use of the intended addressee. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

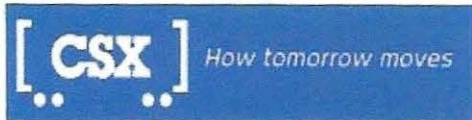
This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7 (e)(9) (i) and (iii) require that CSXT develop a response to the following statements:

(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 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.



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

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
Enclosures (3)

Melanie Yasbin

From: Payne, Gene <Gene_Payne@csx.com>
Sent: Wednesday, December 05, 2018 7:46 AM
To: Melanie Yasbin
Subject: FW: CSX Rail Abandonment (STB Docket # AB-55 Sub# 786X) in Alachua County

Melanie, FYI

Thanks,
Gene

Gene Payne | CSX Transportation

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

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>
Sent: Tuesday, December 4, 2018 2:57 PM
To: Payne, Gene <Gene_Payne@csx.com>
Cc: Hand, Jason M. <Jason.Hand@dep.state.fl.us>; Maher, Jim <Jim.Maher@dep.state.fl.us>; Hewitt, Betsy <Betsy.Hewitt@dep.state.fl.us>
Subject: CSX Rail Abandonment (STB Docket # AB-55 Sub# 786X) in Alachua County

Gene,

We received your proposal for CSX Rail Abandonment (STB Docket # AB-55 Sub# 786X) Alachua County dates November 14, 2018. The Florida State Clearinghouse does not have any comments or concerns. You may proceed with your project.

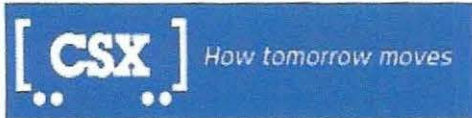
Please continue to send all future requests electronically to the State Clearinghouse email address, State.Clearinghouse@floridadep.gov.

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





500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

U.S. Fish & Wildlife Service
Southeast Region Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

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.

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).



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

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 blue ink that reads 'Gene Payne' followed by a stylized flourish.

Gene Payne
Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

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. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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.

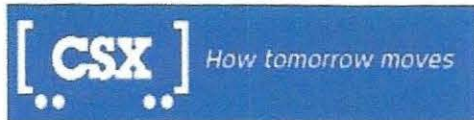
CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

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

Enclosures (3)



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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:

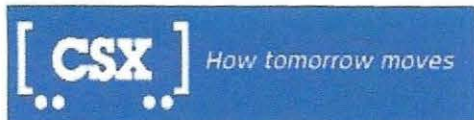
“Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100 year flood plains will be affected. Describe the effects.”

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,



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Enclosures (3)

September 25, 2018

National Geodetic Surveyngs.infocenter@noaa.gov

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

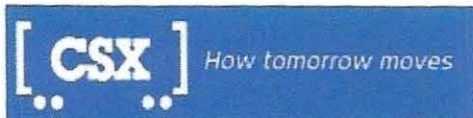
Please advise if there are any geodetic markers which could be affected by the proposed transaction. Any questions can be sent electronically to Floyd_Payne@CSX.com by email or through the United States Postal Service (USPS).

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 (mly)

Gene Payne
Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

Alachua County
Ms. Michele Lieberman, County Manager
12 SE 1st Street
Gainesville, FL 32601

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Ms. Lieberman:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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,

Gene Payne (mly)

Gene Payne
Enclosures (3)



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

November 14, 2018

U.S. Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

Melanie Yasbin

From: Payne, Gene <Gene_Payne@csx.com>
Sent: Tuesday, November 27, 2018 9:57 AM
To: Melanie Yasbin
Subject: FW: STB Docket No.: AB-55 (Sub-No. 786X), CSX Transportation Inc.

FYI

Gene Payne | CSX Transportation

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

From: Militscher, Chris <Militscher.Chris@epa.gov>
Sent: Tuesday, November 27, 2018 9:53 AM
To: Payne, Gene <Gene_Payne@csx.com>
Subject: STB Docket No.: AB-55 (Sub-No. 786X), CSX Transportation Inc.

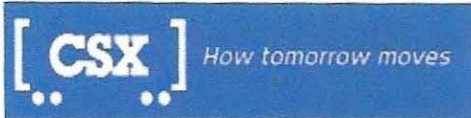
Mr. Payne: The U.S. Environmental Protection Agency has reviewed the Abandonment Exemption Environmental Report dated 11/14/18, for the subject project located in Alachua County, Florida, and we have no environmental concerns or comments.

Thank you.

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



This email transmission and any accompanying attachments may contain CSX privileged and confidential information intended only for the use of the intended addressee. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

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,

Gene Payne
Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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

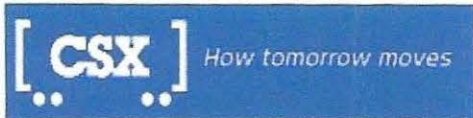
This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7 (e)(9) (i) and (iii) require that CSXT develop a response to the following statements:

(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



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

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
Enclosures (3)



500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

Gene Payne
Manager Joint Facilities

November 14, 2018

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

Re: STB Docket No. AB-55 (Sub-No. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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.”

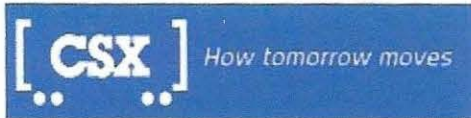
Please advise if any of the land contiguous to CSXT’s line in the project area is classified as prime agriculture land.

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,

Gene Payne
Enclosures (3)



Gene Payne
Manager Joint Facilities

500 Water Street – J-315
Jacksonville, FL 32202
Phone: (904) 359-3739
E-Mail: Floyd_payne@csx.com

November 14, 2018

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. 786X), CSX Transportation, Inc.—Abandonment
Exemption—in Alachua County, FL

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon the approximately 0.23-mile rail line on the Deerhaven Subdivision, Jacksonville Division, Atlanta Terminal Subdivision, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, FL (the “Line”). The Line runs through the U.S. Postal Zip Code – 32609.

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).

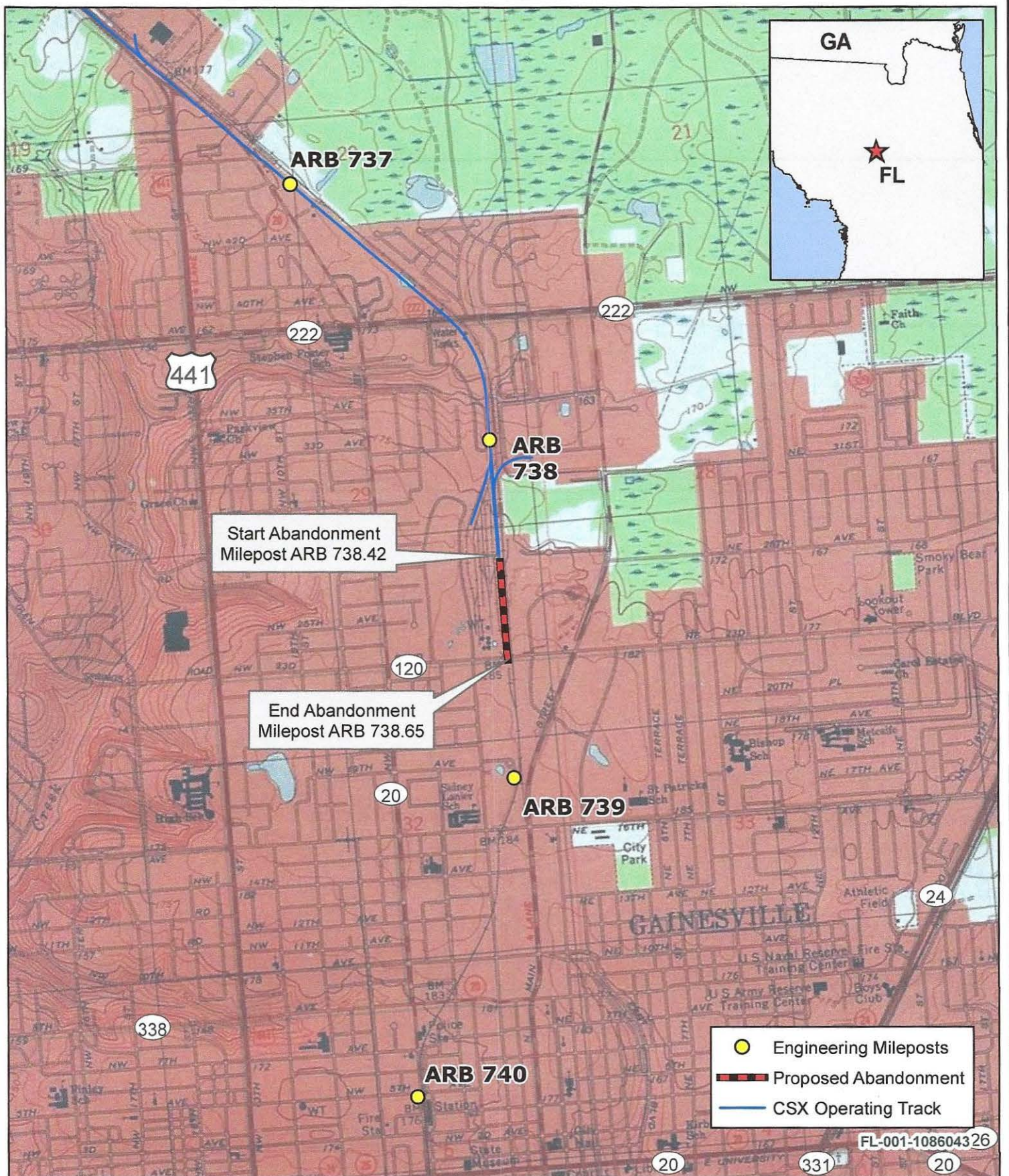
Enclosed is a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the CEHR for the line. If you have any questions, please feel free to call or email me.

Sincerely,

Gene Payne
Enclosures (3)

CSX email address. Sender and CSX accept no liability for any damage caused directly or indirectly by receipt of this email.

EXHIBIT 3 – USGS MAPS



CSX Transportation, Inc.
Proposed Abandonment
Gainesville, Alachua County, FL
 Milepost ARB 738.42 to ARB 738.65
 Total Distance of approx. 0.23 Miles
 Jacksonville Division - Deerhaven Subdivision
 STB Docket No. AB 55 (Sub-No. 786X)

