



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
P.O. BOX 889
SAVANNAH, GEORGIA 31402-0889

May 29, 2009

Regulatory Division
200900490

CSX Transportation
Attention: Mr. Dave Geraci
500 Waters Street- J200
Jacksonville, Florida 32202

Dear Mr. Geraci:

I refer to a request dated April 6, 2009, concerning a Jurisdictional Determination on the proposed abandonment of 0.31 mile of railroad from Railroad Milepost AOB 543.36 to the end of the track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia. This project has been assigned number 2009004907 and it is important that you refer to this number in all communication concerning this matter.

The project purpose is to abandon and remove 0.31 mile of railroad. Removal of material, including rail and crossties, will be accomplished using the right of way and existing public and private crossings for access. All debris will be transported away from the rail line and will not be placed in streams or wetlands. All appropriate measures will be put in place to prevent spills or discharges of pollutant materials.

We have completed a Jurisdictional Determination (JD) for the site pursuant to the June 5, 2007, "US Army Corps of Engineers (USACE) JD Form Instructional Guidebook." I have enclosed a "JD Check Sheet," which summarizes the JD, delineation verification and appeals process

Based on the information provided, this site contains no wetlands or other waters of the United States subject to the regulatory jurisdiction of the US Army Corps of Engineers. Therefore, no authorization is required from this office for the project. This delineation will remain valid for a period of 5 years unless new information warrants revision prior to that date.

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property or invasion of rights, or any infringement of federal, state, local laws or regulations. It does not obviate the requirement to obtain state or local assent required by law for the activity described herein. It does not affect your liability for damages that may be caused by the work, nor does it authorize any interference with any existing or proposed federal project. If this information you have submitted, and on which the US Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

If you or your tenant are US Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

If the information you have submitted and on which the US Army Corps of Engineers bases its determination/decision is later found to be in error, this determination may be revoked. Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our Web Site at www.sas.usace.army.mil/permit.htm (See General Information 6) and completing the survey on-line. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office. If you have any further questions concerning this matter, you may contact Sarah E. Von Waldner at (912) 652-5523.

Sincerely,

A handwritten signature in black ink that reads "Mark J. Padgett". The signature is written in a cursive style with a large, prominent initial "M".

Mark J. Padgett
Project Manager, Coastal Branch

Enclosures

JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION." This delineation will remain valid for a period of 5 years unless new information warrants revision prior to that date.

___ The survey entitled "___", dated _____, is an accurate depiction of all the jurisdictional boundaries on the site, and boundaries of non-jurisdictional waters, if present. If you have not already done so, I recommend that you place a statement on the final surveyed property plat to the effect that, "JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS PLAN ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE 200801120. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION." This delineation will remain valid for a period of 5 years unless new information warrants revision prior to that date.

3. APPEALS: If you are not in agreement with this approved jurisdictional determination, you may request an administrative appeal under USACE regulations at 33 Code of Federal Regulation (CFR) Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this/these determination/s you must submit a completed RFA form to the South Atlantic Division Office at the following address:

Administrative Appeal Review Officer
CESAD-ET-CO-R (Michael F. Bell)
US Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

In order for a RFA to be accepted by the USACE, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR, part 331.5, and that it has been received by the Division Office within 60 days of the date of this form. **It is not necessary to submit an RFA form to the Division Office if you do not object to this jurisdictional determination.**

4. US DEPARTMENT OF AGRICULTURE (USDA) PROGRAM PARTICIPANTS.

This delineation/determination has been conducted to identify the limits of USACE CWA jurisdiction for this site. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

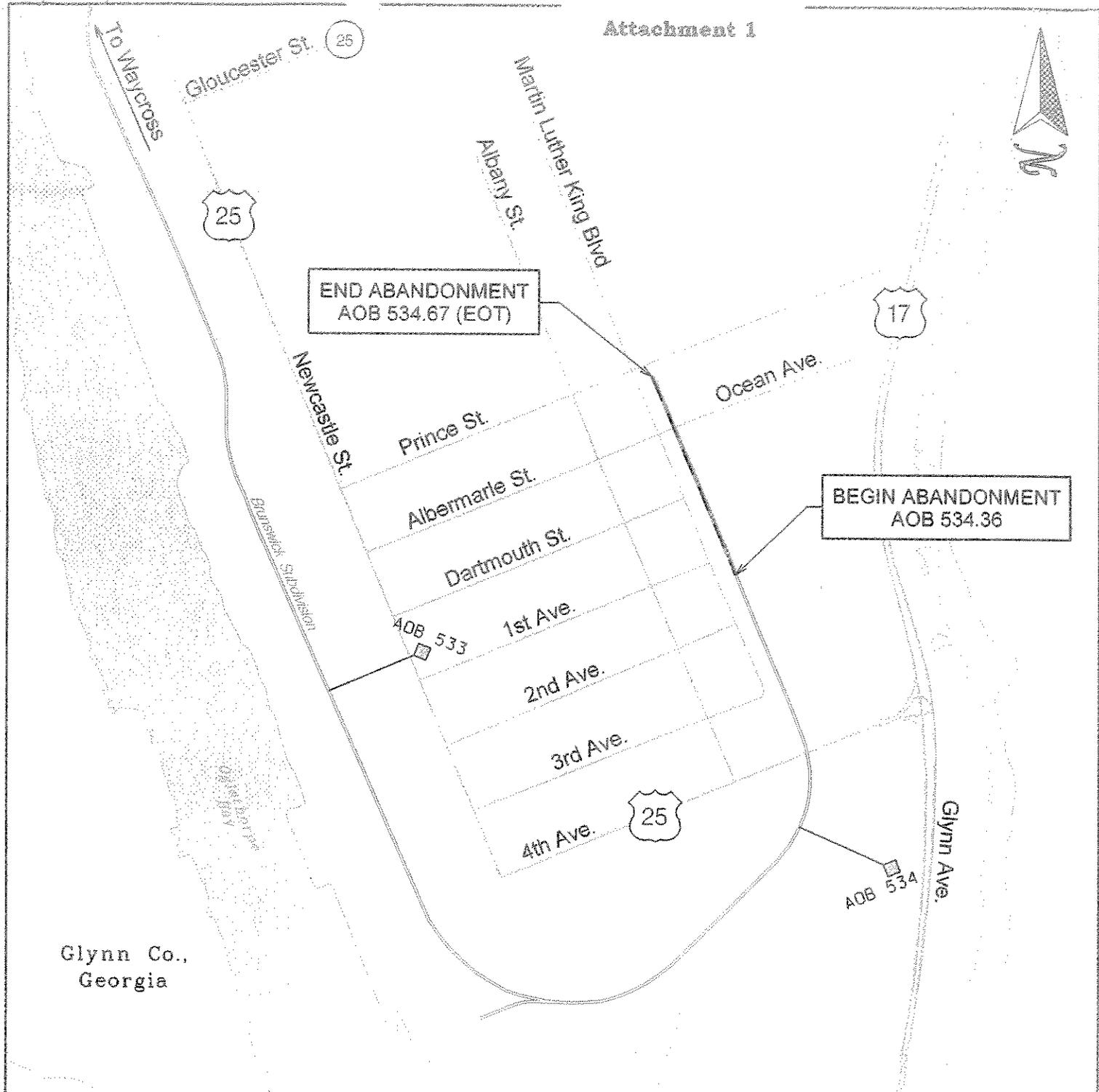
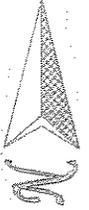
Attachments:

___ Verified Survey of Jurisdictional Streams, Wetlands and/or Other Waters

___ Verified GPS Delineation of Jurisdictional Streams, Wetlands and/or Other Waters

X Drawing of Approximate Location of Streams, Wetlands and/or Other Waters

X Notification of Appeal Process Fact Sheet /Request for Appeal Form



Glynn Co.,
Georgia

LEGEND

———— CSXT Operating Corridor
----- Proposed Abandonment

Total Distance - 0.31 Miles +/-

SOUTHERN REGION
JACKSONVILLE DIVISION
BRUNSWICK SUBDIVISION

AOB 534.36 - AOB 534.67
STB Docket No. AB55
(Sub. No. 685X)
NET RAT File: (GA46)

CSX TRANSPORTATION

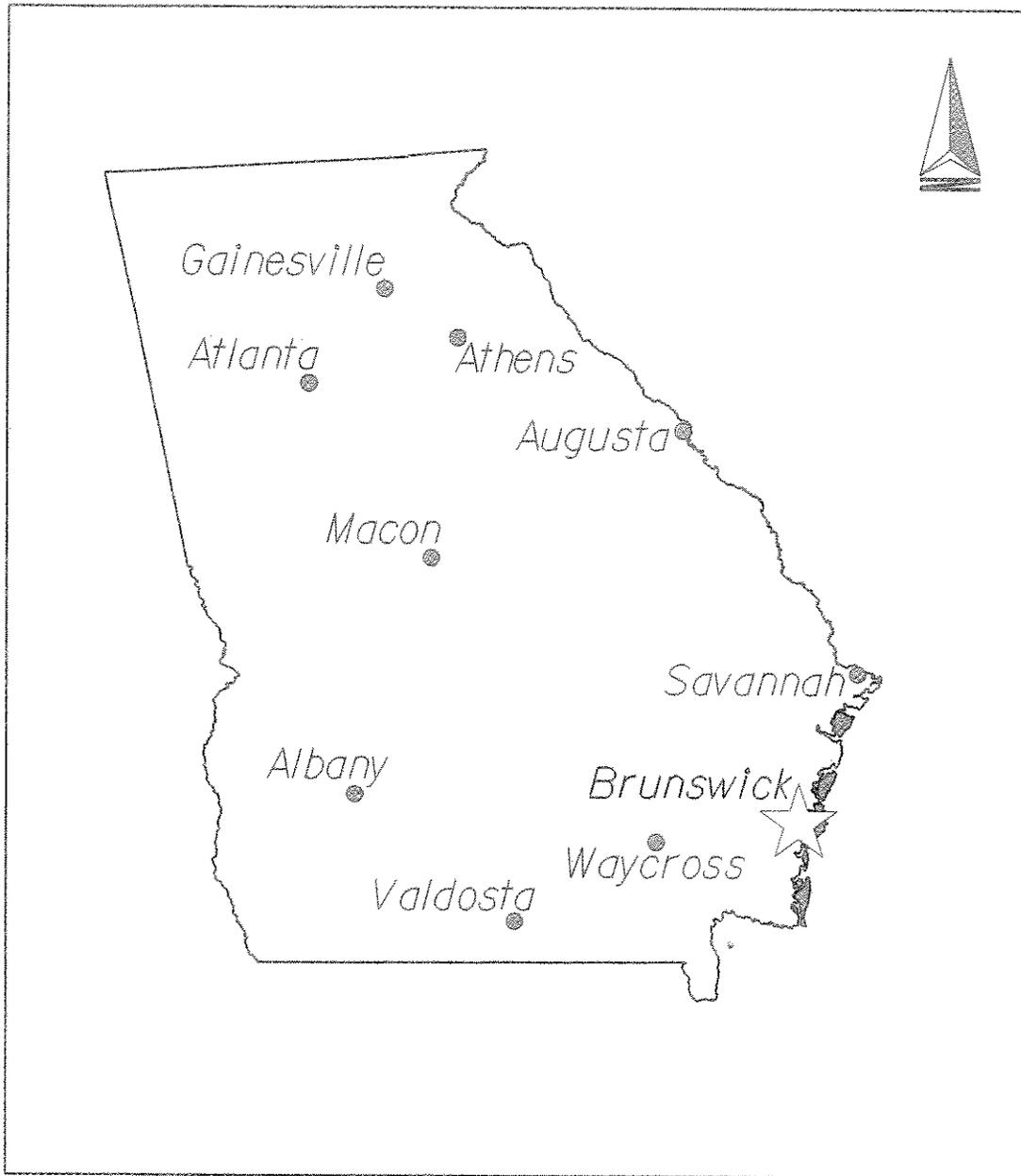
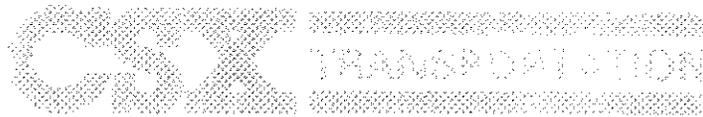
**Proposed Abandonment of a
Portion of the Brunswick Sub.**

AOB 534.36 - AOB 534.67
Glynn County, Georgia

CSX
REAL PROPERTY
APPROPRIATION

SCALE: 1" = 1000 Feet

Revised: April 3, 2008
Drawn By: L. Fawcett



AREA MAP

Proposed Abandonment of 0.32 Miles +/-
AOB 534.36 - AOB 534.67
STB Docket No. AB 55 - Sub. No. 625X
Gwin County, Georgia

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: CSX Transportation		File Number: 200900490	Date: 05/29/2009
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/ccwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: Sarah VonWaldner at (912) 652-5523
Department of the Army
U.S. Army Corps of Engineers, Savannah District
Attention: Sarah Von Waldner
P.O. Box 889
Savannah Georgia 31402

If you only have questions regarding the appeal process you may also contact:
Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:
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DIVISION ENGINEER:
Commander
US Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490