

LAW OFFICES OF
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January 27, 2016

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

RE: Docket No. AB-70 (Sub-No. 6X), *Florida East Coast Railway, LLC—
Abandonment Exemption—in Miami-Dade County, FL*

Dear Ms. Rutson:

Enclosed for e-filing by the Florida East Coast Railway, LLC (“FEC”) is an e-mail received from the South Florida Water Management District stating that it does not appear that a permit will be required for abandonment based on the Combined Environmental and Historic Report submitted by FEC. Also enclosed is a letter from the Florida State Historic Preservation Officer requesting additional information and a professional cultural resource survey.

If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin
Attorney for Florida East Coast Railway, LLC

Enclosures

Melanie Yasbin

From: Parrott, Melinda <mparrott@sfwmd.gov>
Sent: Monday, January 25, 2016 1:17 PM
To: Melanie Yasbin
Subject: RE: Florida East Coast Railway, LLC Abandonment in Miami-Dade county, FL, STB Docket No. AB-70 (Sub-No. 6X)

Melanie- thank you for your inquiry. It does not appear that a permit will be required for the abandonment. Based on the submittal, the structure in the canal is to remain. If that structure were to be altered/ removed, that may trigger a permit review under Environmental Resource Permitting, or Right of Way (I believe that canal is SFWMD ROW).

Let me know if I can be of further assistance.

Mindy Parrott, PWS
Lead Environmental Analyst
Regulation Division
South Florida Water Management District
561-682-6324
mparrott@sfwmd.gov

From: Melanie Yasbin [mailto:Melanie@lgrailaw.com]
Sent: Tuesday, January 05, 2016 11:28 AM
To: Parrott, Melinda <mparrott@sfwmd.gov>
Subject: Florida East Coast Railway, LLC Abandonment in Miami-Dade county, FL, STB Docket No. AB-70 (Sub-No. 6X)

Ms. Parrott,

On or about January 20, 2016, we expect to be filing with the Surface Transportation Board ("STB") a verified notice of exemption seeking authority for Florida East Coast Railway, LLC, to abandon an approximately 1.21-mile rail line between milepost LR 11+3989 and milepost LR13+0000 in Miami Dade County, FL.

Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. We are providing this report to you at the request of Mr. Chris Stahl from the Florida Clearing House. The Combined Environmental and Historic Report will form the basis for the STB's independent environmental analysis of this proceeding. I am happy to answer or find the answer to any questions you may have regarding this matter.

Thank you,
Melanie Yasbin

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This email message may contain information that is privileged and/or confidential. The information contained in this email message is intended only for use of the person to whom it is addressed. If the reader of this message is not (1) the intended recipient or (2) the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (202-466-6532) or email at Melanie@lgraillaw.com, and destroy the original message. Thank you.

We value your opinion. Please take a few minutes to share your comments on the service you received from the District by clicking on this [link](#).



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

January 11, 2016

RE: DHR Project File No. 2016-04/ Received by DHR: December 28, 2015
Project: **Docket No. AB-70** (Sub-No. 6X), *Florida East Coast Railway, L.L.C.*
Abandonment Exemption
County: Miami-Dade

To whom it may concern:

Our office received and reviewed the referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966, *as amended*, and implementing regulations 36 C.F.R. Part 800, for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP). The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Our office has reviewed the recommendations and findings of the Florida East Coast Railway, L.L.C. and requires more information to concur with a finding of effects. The proposed work includes removal of rail, crossties, and ballast of an NRHP-eligible rail line. Therefore, it is the request of this office that the current project area be subjected to a professional cultural resource survey. The purpose of this survey will be to locate and assess any resources that may be present. The resultant survey shall conform to the specification set forth in Chapter 1A-46, Florida Administrative Code, and will need to be forwarded to the Division of Historical Resources in order to complete the reviewing process for this proposed project and its impacts.

If you have any questions concerning our comments, please contact Daniel McClarnon, Archaeologist, Transportation Compliance Review Program, at 850.245.6372 or by email, daniel.mcclarnon@dos.myflorida.com.

Sincerely

Timothy A Parsons, Ph.D.,
Interim Director, Division of Historical Resources
& Deputy State Historic Preservation Officer

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) flheritage.com
Promoting Florida's History and Culture VivaFlorida.org



www.flheritage.com

2016.04

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LOUIS E. GITOMER
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December 23, 2015

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

Bureau of Historic Preservation
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

RE: Docket No. AB-70 (Sub-No. 6X), *Florida East Coast Railway, L.L.C.*
Abandonment Exemption—in Miami Dade County, FL

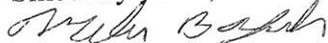
Dear Madam/Sir:

On or about January 20, 2016, we expect to be filing with the Surface Transportation Board (“STB”) a verified notice of exemption seeking authority for Florida East Coast Railway, LLC, to abandon an approximately 1.21-mile rail line between milepost LR 11+3989 and milepost LR13+0000 in Miami Dade County, FL (the “Line”).

Attached is a Combined Environmental and Historic Report describing the proposed action and any expected environmental effects, as well as a map of the affected area. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, telephone 202-245-0295 and refer to the above Docket No. AB-70 (Sub-No. 6X).

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within 3 weeks. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If there are any questions concerning this proposal, please contact our representative directly. Our representative in this matter is Louis E. Gitomer who may be contacted by telephone at 410-296-2250, email at Lou_Gitomer@verizon.net, or mail at Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

Sincerely yours,



Melanie B. Yasbin

Attorney for Florida East Coast Railway, LLC

Enclosure

RECEIVED
BUREAU OF
HISTORIC PRESERVATION
2015 SEP 23 A 9:29