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BAKER & MILLER PLLC

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WASHINGTON, DC 20037
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SEE RECEIVED

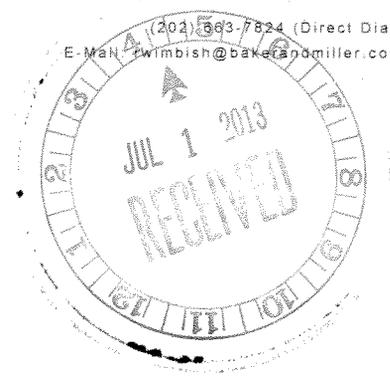
JUL - 1 2013

SURFACE
TRANSPORTATION BOARD

ROBERT A. WIMBISH

(202) 663-7824 (Direct Dial)
E-Mail: rwimbish@bakermiller.com

July 1, 2013



234490

BY HAND DELIVERY

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

Re: *Central of Georgia Railroad Company – Abandonment Exemption – In
Newton County, Georgia
STB Docket No. AB-290 (Sub-No. 343X)*

Dear Ms. Brown:

Pursuant to the Board's abandonment class exemption procedures for lines with no local business for at least two years (49 C.F.R. Part 1152, Subpart F), enclosed are an original and 11 copies of a verified notice of exemption for the abandonment of a rail line owned by Central of Georgia Railroad Company, a wholly-owned subsidiary of Norfolk Southern Railway Company.

A check in the amount of \$3,700.00 is enclosed to cover the applicable filing fee.

Please acknowledge receipt and filing of this notice of exemption by date stamping the enclosed eleventh copy and returning it to the courier to return to me.

FILED
JUL - 1 2013
SURFACE
TRANSPORTATION BOARD

Sincerely,

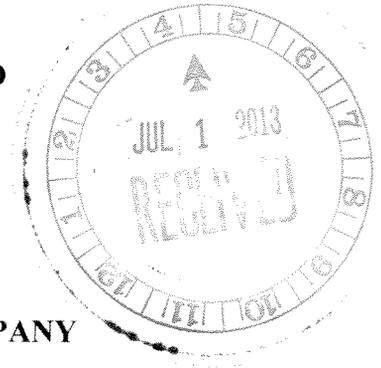
R. A. Wimbish
Robert A. Wimbish
Attorney for Central of Georgia
Railroad Company

Enclosures
cc: Maquiling Parkerson, Marc Kirchner, LaWada Poarch

234490

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)



**CENTRAL OF GEORGIA RAILROAD COMPANY
- ABANDONMENT EXEMPTION -
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

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**Robert A. Wimbish
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
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Washington, DC 20037
Tel: (202) 663-7824
Fax: (202) 663-7849**

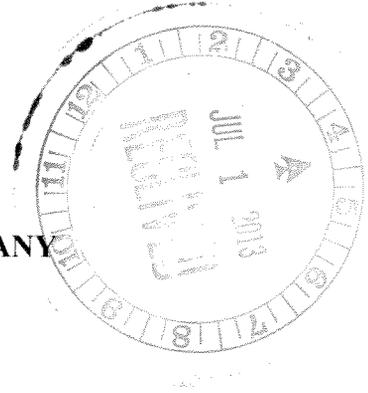
**Attorney for Central of Georgia
Railroad Company**

July 1, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**



EXEMPTION NOTICE

Central of Georgia Railroad Company (“CGA”), a wholly-owned subsidiary of Norfolk Southern Railway Company, hereby submits a notice of exemption pursuant to 49 C.F.R. Part 1152, Subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights), to abandon approximately 14.90 miles of rail line (hereinafter, the “Line”) located in Newton County, Georgia. The Line extends from milepost E 65.80 (at the point of the Line’s crossing of Route 229 in Newborn, Georgia) to milepost E 80.70 (near the intersection of Washington Street, SW, and Turner Lake Road, SW, in Covington, Georgia). In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), CGA provides the following information in support of its abandonment notice:

Certification: 49 C.F.R. § 1152.50(b)

CGA certifies that the Line satisfies the criteria for abandonment under the class exemption provisions at 49 C.F.R. Part 1152, Subpart F. See Certification of T.L. Reynolds, General Manager Western Region of the Central of Georgia Railroad Company, attached hereto as Exhibit A. During the past two years, there has been no local common carrier service provided over the Line, nor have there been any requests for common carrier service.

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

The proposed abandonment will be consummated on or after August 20, 2013 (50 days after filing the notice of exemption).

Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Central of Georgia Railroad Company

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

CGA is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV.

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

CGA seeks to abandon approximately 14.90 miles of rail line (the Line) located in Newton County, Georgia. The Line extends from milepost E 65.80 (at the point of the Line's crossing of Route 229 in Newborn, Georgia) to milepost E 80.70 (near the intersection of Washington Street, SW, and Turner Lake Road, SW, in Covington, Georgia).

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the Line is attached hereto as Exhibit B.

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

CGA's representative to whom correspondence regarding this abandonment should be sent is as follows:

Robert A. Wimbish
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW, Suite 300
Washington, DC 20037
Tel: (202) 663-7824
Fax: (202) 663-7849

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line lies within the following U.S. Postal Service ZIP Codes territories: 30014, 30055, and 30056.

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

CGA may not own all of the right-of-way underlying the line proposed for abandonment, and has no opinion concerning the Line's suitability for use for other public purposes. The Line does not contain federally-granted right-of-way. As appropriate, CGA is willing promptly to make available information in its possession to anyone so requesting it.

Labor Protection

Since the Line has been out of service for over two years, CGA believes no employees will be adversely affected by exercise of abandonment authority. However, as a condition to exercise of the authority permitted in this matter, CGA will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Certifications

Attached hereto as Exhibit C are Certificates of Service and Publication certifying that CGA has complied with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as Exhibit D is a certification of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

Environmental and Historic Report

As is reflected in its certification of compliance with the provisions of 49 C.F.R. § 1105.11 (Exhibit D), CGA has prepared a combined Environmental and Historic Report

("E&HR") conforming to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of that E&HR was previously served upon the Board's Office of Environmental Analysis, but it is also attached hereto as Attachment 1 to Exhibit D (CGA's § 1105.11 certification).

Respectfully submitted,



Robert A. Wimbish
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7824
Fax: (202) 663-7849

Attorney for Central of Georgia
Railroad Company

July 1, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

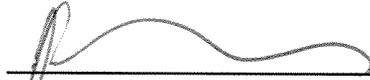
EXEMPTION NOTICE

VERIFICATION

Verification

I, John H. Friedmann, Vice President for Norfolk Southern Railway Company, parent company of Central of Georgia Railroad Company ("CGA), hereby verify under penalty of perjury that to the best of my knowledge the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of NSR in connection with this proceeding before the Surface Transportation Board.

Executed this 6th day of May, 2013.



John H. Friedmann
Vice President

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

EXHIBIT A

CERTIFICATION

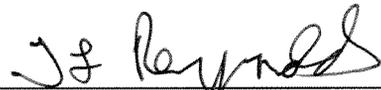
CERTIFICATION

STATE OF GEORGIA:

ss:

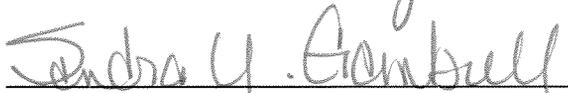
CITY OF ATLANTA:

T. L. Reynolds makes oath and says that he is General Manager Western Region for Central of Georgia Railroad Company; that the rail line between Milepost E 65.80 and Milepost E 80.70, over which service is to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that 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 before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.



T. L. Reynolds

Subscribed and sworn to before me
this 20th day of May, 2013.



Notary Public

My commission expires:

4/20/15

SANDRA Y. GAMBRELL
NOTARY PUBLIC
COBB COUNTY, GEORGIA
MY COMMISSION EXPIRES APRIL 20, 2015

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

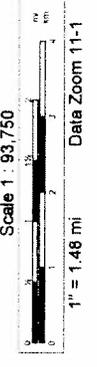
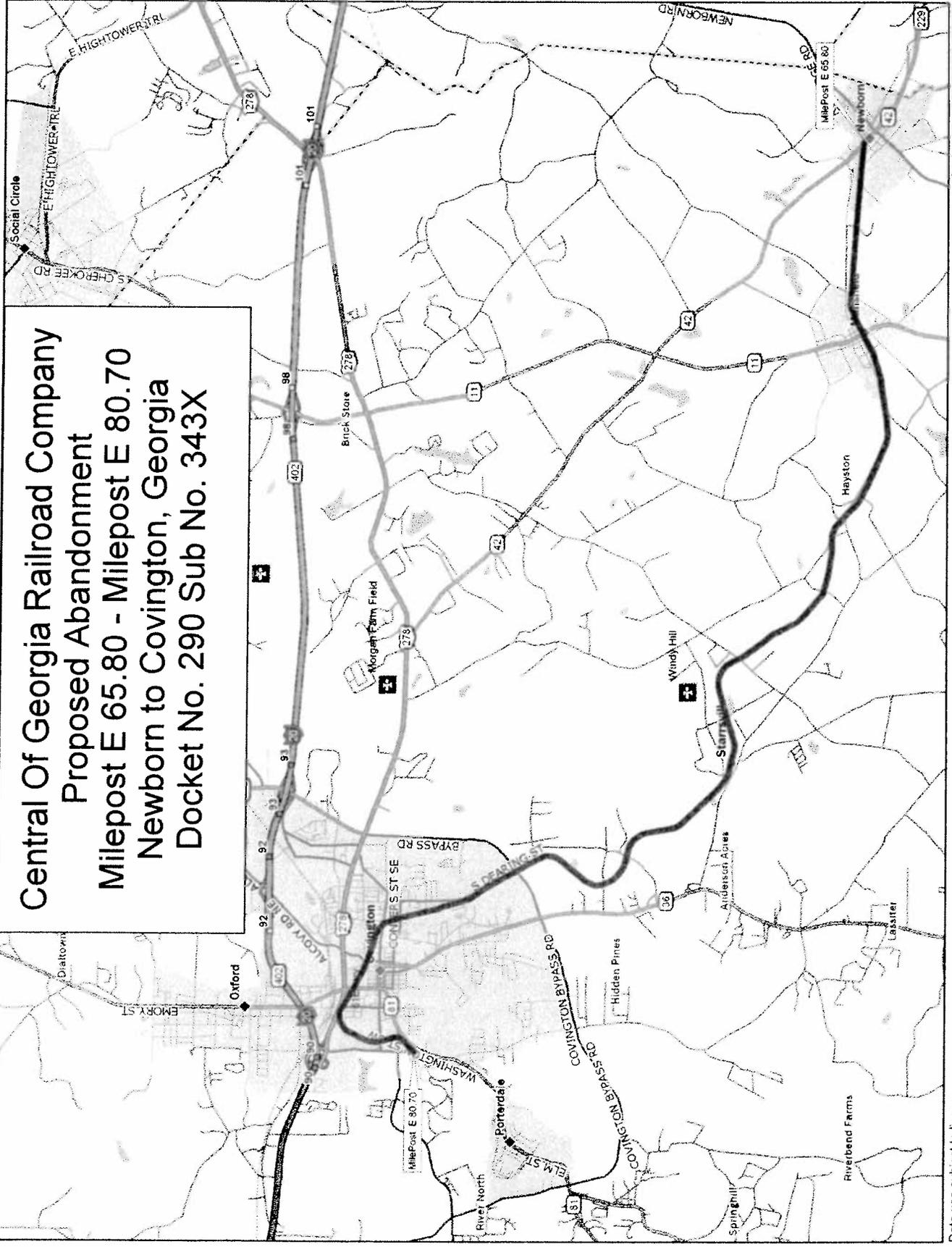
**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

EXHIBIT B

MAP

Central Of Georgia Railroad Company
Proposed Abandonment
Milepost E 65.80 - Milepost E 80.70
Newborn to Covington, Georgia
Docket No. 290 Sub No. 343X



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 www.delorme.com

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

EXHIBIT C

**CERTIFICATIONS OF
SERVICE/PUBLICATION**

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that, on June 14, 2013, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Central of Georgia Railroad Company to use the Board's notice of exemption procedures to abandon approximately 14.90 miles of rail line located in Newton County, Georgia:

Tim Echols, PSC Chairman
Georgia Public Service Commission
244 Washington Street, SW
Atlanta GA, 30334-9052

David Dorfman
SDDC TEA
Railroads for National Defense
709 Ward Dr., Bldg. 1990
Scott AFB, IL 62225
(618) 220-5741

Charlie Stockman
National Park Service
Rivers & Trails Conservation Program
1201 Eye Street, NW, 9th Floor (Org. Code 2220)
Washington, D.C. 20005
(202) 354-6900

Thomas L. Tidwell, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024
(202) 205-8439
S/W Sandy Berg, Office Manager

July 1, 2013



Robert A. Wimbish
Attorney for Central of Georgia
Railroad Company

Certificate of Newspaper Publication

49 C.F.R. § 1105.12 – Newspaper Notice

I certify that a “Notice of Intent to Abandon” was published in the form prescribed by the Board for a Notice of Exemption (49 C.F.R. § 1105.12). The notice was published one time in The Covington News (June 19, 2013), a newspaper of general circulation in Newton County, Georgia.

July 1, 2013



Robert A. Wimbish
Attorney for Central of Georgia
Railroad Company

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

EXHIBIT D

**CERTIFICATION OF COMPLIANCE
WITH ENVIRONMENTAL AND
HISTORIC REPORT REQUIREMENTS**

Environmental and Historic Report
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 343X) was mailed via first class mail on April 23, 2013 to the following parties:

US EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Mayor Roger Sheridan
Mayor of Newborn
P. O. Box 247
Newborn, GA 30056

Georgia Dept. of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, GA 31520-8687

Georgia Dept. of Natural Resources
2 Martin Luther King Jr. Drive, SE
Suite 1152, East Tower
Atlanta, GA 30337

USDA-NRCS
355 East Hancock Avenue
Stop Number 200
Athens, GA 30601

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

US Fish and Wildlife Service-Region 4
Century Center
1875 Century Boulevard
Atlanta, GA 30345

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th floor
Washington D.C. 20005

United States Army Corps of Engineers
Piedmont Branch
1590 Adamson Parkway, Suite 200
Morrow, GA 30260

NOAA - National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

Ms. Kathryn Morgan, Chairman
Newton County Board of Commissioners
1124 Clark St. SW
Covington, GA 30014

US EPA
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20004

Mayor Ronnie Johnston
City of Covington
P. O. Box 1527
Covington, GA 30015

Georgia Historic Preservation Division
Department of Natural Resources
254 Washington Street, SW
Ground Level
Atlanta, GA 30334



Marcellus C. Kirchner
April 23, 2013

ATTACHMENT 1
ENVIRONMENTAL AND HISTORIC REPORT
INCLUDING SAMPLE TRANSMITTAL LETTER

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**STB DOCKET NO. AB-290 (Sub-No. 343X)
CENTRAL OF GEORGIA RAILROAD COMPANY**

PROPOSED RAIL LINE ABANDONMENT

**BETWEEN MILEPOST E 65.80 AND MILEPOST E 80.70
IN NEWTON COUNTY, GEORGIA**

Combined Environmental and Historic Report

April 23, 2013

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**STB DOCKET NO. AB-290 (Sub-No. 343X)
CENTRAL OF GEORGIA RAILROAD COMPANY
PROPOSED RAIL LINE ABANDONMENT
BETWEEN MILEPOST E 65.80 AND MILEPOST E 80.70
IN NEWTON COUNTY, GEORGIA**

Combined Environmental and Historic Report

Central of Georgia Railroad Company (CGA), a wholly-owned subsidiary of Norfolk Southern Railway Company (NSR), submits this combined Environmental and Historic Report (“EHR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with the proposed abandonment of 14.90 miles of rail line between Mileposts E 65.80 near Newborn and E 80.70 near Covington in Newton County, Georgia.

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(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.

RESPONSE: CGA proposes to abandon 14.90 miles of rail line between Mileposts E 65.80 near Newborn and E 80.70 near Covington in Newton County, Georgia. Rail service over the subject line was legally discontinued in 2010, and the line has remained inactive since.

Following abandonment, the line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contours of the existing roadbed will remain as is, and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur (and, accordingly, no National Pollutant Discharge Elimination System permit will be required). No digging or burying of any kind will be permitted. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations or they will be disposed of in accordance with applicable federal and state laws and regulations. The railroad expects to arrange for the removal of the bridges on the line.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory. The railroad would incur opportunity and

other holding costs that would need to be covered by non-existent on-line shippers were this line segment to be retained.

A map depicting the line proposed for abandonment is attached as **Appendix A**. The railroad's letter to federal, state and local government agencies along with a list of consulting agencies CGA has contacted, are attached as **Appendix B**. Comments received as a result of CGA's written requests for feedback can be found in **Appendix C**.

49 CFR 1105.7(e)(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.

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There is no rail freight or passenger traffic on the line proposed for abandonment, and rail service over the line was legally discontinued in 2010.¹

49 CFR 1105.7(e)(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.

RESPONSE: An outline of future land use plans has been requested from the Cities of Newborn and Covington and Newton County. These agencies were also asked to comment on the consistency of the proposed abandonment with existing land

¹ Central of Georgia Railroad Company – Discontinuance of Service Exemption – Newton County, Ga., et al., STB Docket No. AB-290 (Sub-No. 319X), et al., (STB served Jul. 15, 2010).

use plans, but they have not done so to date. CGA has no reason to believe, however, that the proposed abandonment would have any adverse impact on – or be inconsistent with – existing land use plans.

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

RESPONSE: Consultation was requested from The United States Department of Agriculture, Natural Resources Conservation Service, but CGA has not received a response to date.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.

RESPONSE: Consultation was requested from Georgia Department of Natural Resources, Coastal Resources Division (GDNR-CRD). In response, GDNR-CRD advised that the proposed abandonment will not have any reasonably foreseeable impact on coastal uses or resources. A copy of GDNR-CRD's response is attached as part of **Appendix C**.

(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. § 10906, and explain why.

RESPONSE: The railroad may not have fee title to the entire right-of-way underlying the line segment proposed for abandonment, and so CGA may not have a contiguous corridor available for re-deployment for possible alternative public use(s). CGA does not know if there are any state or local plans that may be facilitated by the proposed abandonment, and CGA has no opinion about whether the right-of-way would be suitable for alternative public purposes.

49 CFR 1105.7(e)(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment. No freight or passenger traffic is moving over the line, and the line did not carry any energy resources when last operated.

(ii) Describe the effect of the proposed action on recyclable commodities.

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic is moving over the line, and the line did not carry recyclable commodities when last operated.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

RESPONSE: The proposed action involves the abandonment and salvage of a rail line that has been inactive for over two years, and as such will not result in an increase or decrease in overall energy efficiency.

*(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.*

RESPONSE: No traffic will be diverted from rail to motor carriage as a result of the proposed action, so the above thresholds will not be exceeded.

49 CFR 1105.7(e)(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.

RESPONSE: The above thresholds will not be exceeded.

(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.

RESPONSE: The above thresholds will not be exceeded. For the record, however, Newton County Georgia is in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the U.S. Environmental Protection Agency, with the exception of 1-hr. ozone, 8-hr. ozone and particulate matter.

(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.

RESPONSE: Not applicable.

49 CFR 1105.7(e)(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.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).

RESPONSE: Abandonment of the subject rail line segment will have no significant effect upon public health or safety.

(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.

RESPONSE: Not applicable.

(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.

RESPONSE: The railroad has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in adjacent areas.

49 CFR 1105.7(e)(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.

RESPONSE: The railroad understands that no federally-listed endangered species or their habitats will be adversely affected. The railroad has requested input from the U.S. Fish and Wildlife Service (USFWS) to ascertain any impacts to

surrounding habitats and species. USFWS has advised that federally-listed species are not likely to occur on the project site. The response of USFWS is attached as part of

Appendix C.

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

RESPONSE: The line segment proposed for abandonment does not appear to pass through state parks or forests, national parks or forests, or wildlife sanctuaries. Therefore, no adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated.

49 CFR 1105.7(e)(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.

RESPONSE: The railroad does not intend to remove or alter the contour of the roadbed underlying the rail lines to be abandoned by way of excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation or National Pollutant Discharge Elimination System permits will be required. As is discussed in the Historic Report that follows, the line proposed for abandonment crosses four watercourses, all of which are spanned by bridges (there are a total of four railroad bridges along the line). The watercourses are listed at **Appendix D**. There are no plans, however, to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment, so, for this reason also, the proposed abandonment will not result in water quality impacts.

Consultation has been requested from the Georgia Department of Natural Resources and from the United States Environmental Protection Agency (USEPA). USEPA-Region 4, NEPA Program Office has responded to CGA's consultation letter by responding that it lacks sufficient information to provide guidance at this time (although the responding official did not indicate in response what additional information USEPA needed). USEPA's response is attached in **Appendix C**.

(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.

RESPONSE: The geometry of the roadbed will not be altered and no in-stream work is contemplated. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. Consequently, the railroad does not believe a Section 404 permit will be required in connection with the proposed abandonment. Consultation was requested from the US Army Corps of Engineers by letter dated September 21, 2012. The response is attached in **Appendix C**.

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

RESPONSE: The railroad does not plan to remove or alter the roadbed underlying the line to be abandoned, to undertake in-stream work, or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation or National Pollutant Discharge Elimination System permit will be required. The railroad anticipates that the abandonment will not affect water

quality or require the issuance of a Section 402 permit under the Federal Water Pollution Control Act. Nevertheless, CGA has requested input from the US Environmental Protection Agency (as indicated in a preceding section) and the Georgia Department of Natural Resources.

49 CFR 1105.7(e)(10) Proposed Mitigation.

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

RESPONSE: Abandonment of the involved rail lines is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment, such as removal of rail, ties, and other railroad appurtenances. The railroad will undertake all reasonable mitigation associated with these activities as directed by the Board to assure the abandonment does not produce adverse environmental impacts.

HISTORIC REPORT

49 CFR 1105.8(d)

PROPOSED ACTION AND ALTERNATIVES

CGA proposes to abandon 14.90 miles of rail line between Mileposts E 65.80 near Newborn and E 80.70 near Covington in Newton County, Georgia. Rail service over the subject line was legally discontinued in 2010,² and the line has been inactive ever since.

Following abandonment, the line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contours of the existing roadbed will remain as is, and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur (and, accordingly, no National Pollutant Discharge Elimination System permit will be required). No digging or burying of any kind will be permitted. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations or they will be disposed of in accordance with applicable federal and state laws and regulations. The railroad expects to arrange for the removal of the bridges on the line. The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory. The railroad would incur opportunity and other holding costs that would need to be covered

² Central of Georgia Railroad Company – Discontinuance of Service Exemption – Newton County, Ga., et al., STB Docket No. AB-290 (Sub-No. 319X), et al., (STB served Jul. 15, 2010).

by non-existent on-line shippers were this line to be retained. A map depicting the line proposed for abandonment is attached as **Appendix A**.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** - Maps were furnished to Georgia Historic Preservation Division, Department of Natural Resources.
- (2) **Written Description of Right of Way** - The right-of-way width is primarily 50 feet along the main track centerline. The line passes through suburban residential areas. Pursuant to Surface Transportation Board (STB) policy, the railroad's right-of-way will constitute the Area of Potential Effect (APE) for this undertaking.
- (3) **Photographs** – There are four structures along the line that warrant discussion in this Historic Report, each of them a bridge. Photographs of the four bridge structures were furnished to Georgia Historic Preservation Division, Department of Natural Resources.
- (4) **Date of Construction of Structures** – There are, as mentioned immediately above, four structures along the line that are 50 years old or older. Each of these four structures is a bridge. The construction dates for the bridges on the line segment are as follows: (1) the bridge at Milepost E 68.90 was built in 1916, but received substantial repairs in 1970; (2) the bridge at Milepost E 70.70 was built in 1922; (3) the bridge at Milepost E 73.90 was built in 1925; and (4) the bridge at Milepost E 78.50 was built in 1921. Other than as noted, no changes have been made to the bridges other than periodic normal maintenance to replace worn components. See the bridge list at **Appendix D**.

(5) History of Operations and Changes Contemplated - The railroad property that is the subject of the proposed abandonment consists of approximately 14.90 miles of rail line extending between milepost E 65.80 near Newborn and E 80.70 near Covington in Newton County, Georgia.

The line was originally part of the Middle Georgia and Atlantic Railway Company (MG&AR), a 64-mile railroad formed to link Milledgeville and Covington, Georgia. MG&AR assembled its rail system between 1890 and 1894. The line between Eatonton and Machen, Georgia, opened in 1891, and the extension from Machen to Covington, Georgia was completed in 1893. In 1893, MG&AR leased the 22-mile line between Milledgeville and Eatonton, Georgia. MG&AR had plans to build a branch line from Mansfield (Carmel Junction) to connect with the Georgia Railroad, but this proposed branch was never constructed.

In December of 1896, the Central of Georgia Railway (CGA) bought the MG&AR in a foreclosure sale. The CGA abandoned the 18 miles of line from Eatonton to Machen in 1959, but the remainder of the former MG&AR remains in place for the time being.

Southern Railway Company (SR) acquired the CGA on June 17, 1963. In 1971, SR merged the CGA, the Savannah and Atlanta Railway, and the Wrightsville and Tennille Railroad to form the Central of Georgia Railroad Company.

Norfolk Southern Corporation acquired control of SR along with Norfolk and Western on June 1, 1982. In December 1990, SR changed its name to Norfolk Southern Railway Company (NSR), and Norfolk and Western Railway Company

became a wholly-owned subsidiary of NSR.

In 1989, SR leased the former MG&AR line between Machen and Covington, which includes the subject line segment, to a short line carrier known as the Great Walton Railroad (Great Walton). That lease was terminated in 2009 when the portion of the rail line from Machen to Newborn was leased to the Squaw Creek Southern Railroad. NSR and Great Walton each obtained regulatory authority to discontinue service over the Newborn-Covington line segment that is also the subject of this abandonment proceeding in 2010.³

(6) Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic - Although CGA may have engineering plans for the bridges on this line, CGA anticipates that these plans will be standard (non-structure specific) plans, and thus would have been used in connection with the construction of many other bridges of similar vintage in the Southeast.

(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places – There are four structures within the project's APE. CGA believes that neither the structures on the line nor the line itself meet the criteria for listing in the *National Register of Historic Places*. The four structures that are 50 years old or older are bridges that are short in length and of ordinary design and construction. CGA believes that there is nothing distinguishing these bridges from others in the region or on the

³ Central of Georgia Railroad Company – Discontinuance of Service Exemption – Newton County, Ga., et al., STB Docket No. AB-290 (Sub-No. 319X), et al., (STB served Jul. 15, 2010).

NSR system generally. In addition, the railroad has no reason to believe that there are archaeological resources or historic properties on or immediately adjacent to the line.

(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery

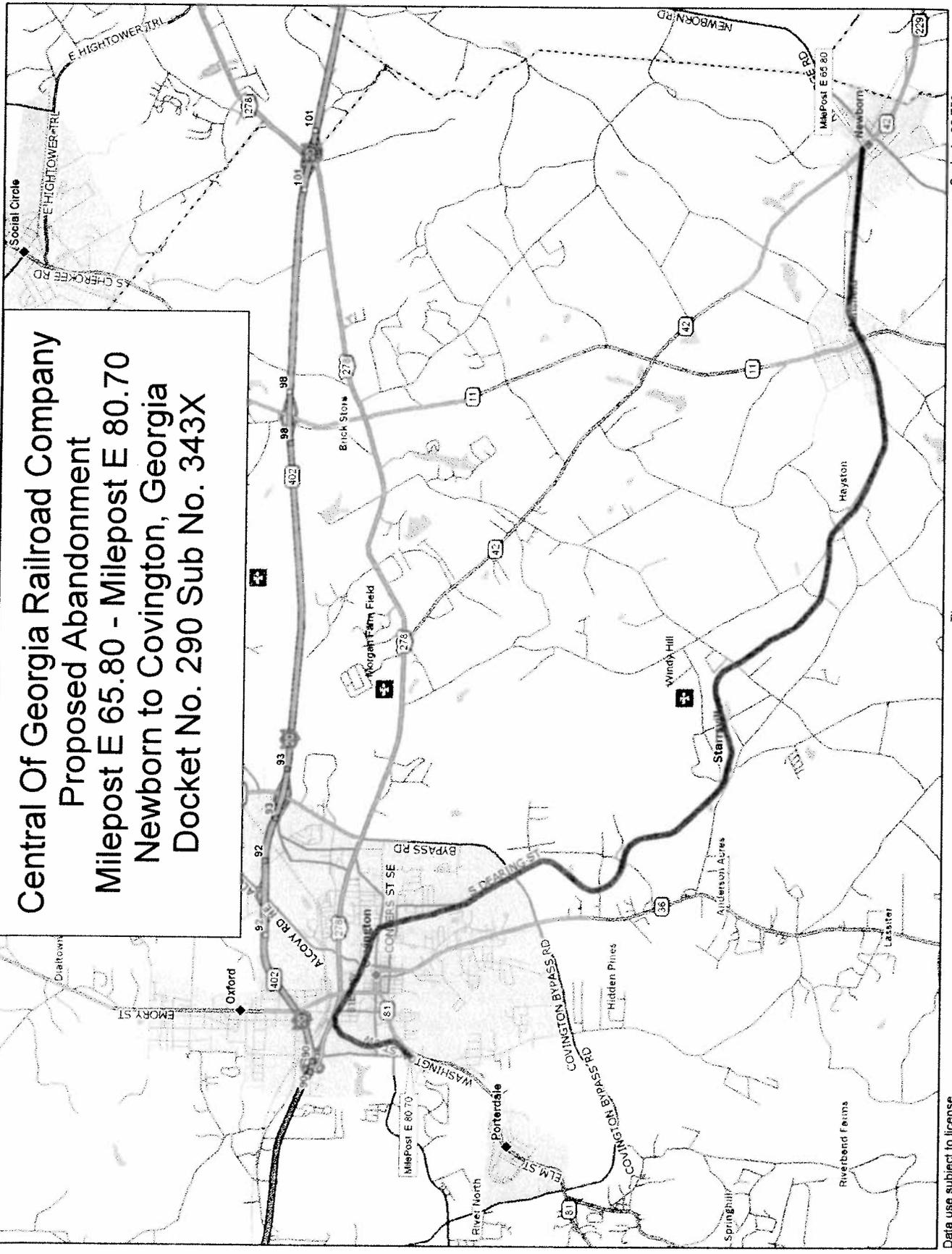
The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad lines by grading and filling. Abandonment and salvage of the line will not result in activities below the surface, or below the level of initial disturbance.

(9) Follow-Up Information - Additional information will be provided as appropriate.

APPENDIX A

Site Map

**Central Of Georgia Railroad Company
 Proposed Abandonment
 Milepost E 65.80 - Milepost E 80.70
 Newborn to Covington, Georgia
 Docket No. 290 Sub No. 343X**



Data use subject to license.

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www.delorme.com

1" = 1.48 mi Data Zoom 11-1

APPENDIX B

Agency Letters

RECIPIENT LIST

Proposed Rail Line Abandonment of 14.90 miles of rail line between Mileposts E 65.80 and E 80.70 in Newton County, Georgia.

US EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Georgia Dept. of Natural Resources
Coastal Resources Division
One Conservation Way, Suite 300
Brunswick, GA 31520-8687

USDA-NRCS
355 East Hancock Avenue
Stop Number 200
Athens, GA 30601

US Fish and Wildlife Service-Region 4
Century Center
1875 Century Boulevard
Atlanta, GA 30345

United States Army Corps of Engineers
Piedmont Branch
1590 Adamson Parkway, Suite 200
Morrow, GA 30260

Ms. Kathryn Morgan, Chairman
Newton County Board of Commissioners
1124 Clark St. SW
Covington, GA 30014

Mayor Ronnie Johnston
City of Covington
P. O. Box 1527
Covington, GA 30015

Mayor Roger Sheridan
Mayor of Newborn
P. O. Box 247
Newborn, GA 30056

Georgia Dept. of Natural Resources
2 Martin Luther King Jr. Drive, SE
Suite 1152, East Tower
Atlanta, GA 30337

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

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th floor
Washington D.C. 20005

NOAA - National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

US EPA
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20004

Georgia Historic Preservation Division
Department of Natural Resources
254 Washington Street, SW
Ground Level
Atlanta, GA 30334



Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510-9207

Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207
(757) 629-2679

April 23, 2013

RE: STB Docket No. AB-290 (Sub-No. 343X), Central of Georgia Railroad Company -
Abandonment – in Newton County, Georgia

Dear Sir/Madam:

Central of Georgia Railroad Company (CGA) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between E 65.80 and E 80.70 in Newton County, Georgia. CGA is a wholly-owned subsidiary of Norfolk Southern Railway Company (NSR).

Enclosed is a Combined Environmental and Historic Report (Report) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board (STB).

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA) by telephone at (202) 245-0295 or by mail to:

Surface Transportation Board,
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, we must receive your comments within three weeks. Please provide information to LaWada Poarch by email at Lawada.Poarch@nscorp.com, or by mail to:

LaWada Poarch
Coordinator-Abandonments
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510

Sincerely,

A handwritten signature in black ink, appearing to read "Marcellus C. Kirchner". The signature is fluid and cursive, with a large initial "M" and "C".

Marcellus C. Kirchner
Director Strategic Planning
Central of Georgia Railroad Company

APPENDIX C

Agency Responses



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

April 29, 2013

Ms. LaWada Poarch
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207

RE: Proposed Abandonment, Docket No. AB-290 (Sub-No. 343X), Central of Georgia
Railroad Company, Newton County, Georgia

Dear Ms. Poarch:

Staff of the Georgia Coastal Management Program has reviewed your April 23, 2013 letter and attachments for the above referenced action to abandon 14.90 miles of rail between Milepost E 65.80 near Newborn and Milepost E 80.70 near Covington in Newton County, Georgia.

Abandonment of this 14.90-mile rail line is not likely to have impacts on coastal uses or resources. The Program concurs with your Federal Consistency Determination of No Effects. Thank you for your coordination on this project. Please feel free to contact Kelie Moore or me if we may be of any further assistance in this or other projects.

Sincerely,

A.G. "Spud" Woodward
Director

SW/km



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

REPLY TO
ATTENTION OF:

May 8, 2013

Regulatory Division
SAS-2013-00346

Ms. LaWada Poarch
Norfolk Southern Corporation
3 Commercial Place
Norfolk, Virginia 23510

Dear Ms. Poarch:

We have reviewed the information that you provided in your letter of April 25, 2013, for coordination for the abandonment of a segment of rail line beginning at Milepost E65.80 near Newborn, traveling northwest toward the City of Covington and ending at Milepost E.80.70 near Washington Street in Covington, Newton County, Georgia (latitude 33.5921, longitude -83.8740). Your proposed project has been assigned permit number SAS-2013-00346. Please refer to this number in all future correspondence concerning this project.

The US Army Corps of Engineers has been charged by Congress, under Section 404 of the Clean Water Act (33 U.S.C. 1344), with the responsibility to regulate all fill activities performed in the waters of the United States. After reviewing the information that was provided, it appears that the proposed project would not involve the discharge of dredged or fill material into wetlands and/or waters of the United States (US) within our jurisdiction.

Should your plans change, or you encounter any wetlands or waters of the US, during your construction, please contact this office so that we may determine if Department of the Army Authorization is required. Please be advised that the placement of fill material in wetlands and/or streams without prior approval constitutes a violation of Section 404.

If you have any questions or concerns, please contact me at (678) 422-2723.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan C. Singleton".

Megan C. Singleton
Regulatory Specialist, Piedmont Branch



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

May 6, 2013

Marcellus C. Kirchner
Director Strategic Planning
Central of Georgia Railroad Company
Three Commercial Place
Norfolk, Virginia 23510-9207
Attn: LaWada Poarch, Coordinator Abandonments, Norfolk Southern Corporation

**RE: STB Docket No. AB-290(Sub-No. 343X): Central of Georgia Railroad Company
Abandonment, 14.90 Miles Between Milepost E 65.80 Near Newton and Milepost E 80.70 Near
Covington
Newton County, Georgia
HP-130425-004**

Dear Mr. Kirchner:

The Historic Preservation Division (HPD) has received information concerning the above referenced undertaking. Our comments are offered to assist the Surface Transportation Board (STB) and Central of Georgia Railroad Company (CGA) in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended.

Based on the information provided, HPD finds that no archaeological resources that are listed in or eligible for listing in the National Register of Historic Places (NRHP) will be affected by the proposed project, as defined in 36 CFR Part 800.4(d)(1). Regarding historic structures, HPD finds that the rail line and the four bridges should be considered eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A and Criterion C. Furthermore, it is our opinion that the project as proposed, which includes removal of the four bridges, will result in an **adverse effect**, as defined in 36 CFR Part 800.5(a)(2), to historic properties located within the subject project's area of potential effects (APE).

When an adverse effect to a historic property is found, the federal agency must notify the Advisory Council on Historic Preservation and consult with the State Historic Preservation Officer on ways to avoid, minimize or mitigate the adverse effect. HPD would be glad to work with STB and CGA to mitigate the adverse effect if alternatives are not feasible.

Please refer to project number **HP-130425-004** in any future correspondence regarding this undertaking. If you have any questions, please contact Elizabeth Shirk, Environmental Review Coordinator, at (404) 651-6624 or via email at elizabeth.shirk@dnr.state.ga.us.

V/r,

Dr. David Crass
Division Director,
Deputy State Historic Preservation Officer

DCC/ECS

APPENDIX D

Central of Georgia Railroad Company Abandonment in Newton County, GA

Bridge List

Milepost	Crossing	Bridge Type	Deck construction	Length in Feet	Date Constructed
E 68.90	Waterway	Timber	Open	177	1916
E 70.70	Waterway	Timber	Open	122	1922
E 73.90	Alcovy River	Deck girders on concrete piers	Open	339	1925
E 78.50	Waterway	Timber	Ballast	247	1921

ATTACHMENT 2
CONSULTING AGENCY RESPONSES TO
ENVIRONMENTAL AND HISTORIC REPORT
(POST-CIRCULATION)

United States Department of Agriculture



Natural Resources Conservation Service
355 East Hancock Avenue
Athens, GA 30601

May 13, 2013

Marcellus C. Kirchner
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510-9207

**Re: Combined Environmental and Historic Report Review for Docket No AB-290 (Sub-
No. 343X), Central of Georgia Railroad Company – Abandonment – in Newton
County, Georgia**

Dear Mr. Kirchner:

This letter is in reference to your request for review comments on the above project. We have addressed all the issues of interest to our agency in a letter of November 18, 2012. We have no further comments at this time.

NRCS appreciates this opportunity to comment. If you have questions or need any additional information, please contact Dan Wallace of my staff at (706) 546-2278 or dan.wallace@ga.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Tillman, Sr.", written over a large, loopy scribble.

JAMES E. TILLMAN, SR.
State Conservationist

cc: Michael Watson, Assistant State Conservationist (FO), NRCS, Griffin, GA
Dennis Brooks, District Conservationist, NRCS, Madison, GA
Jim Lathem, Resource Soil Scientist, NRCS, Athens, GA
Dan Wallace, State Resource Inventory Coordinator, NRCS, Athens, GA

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**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB Docket No. AB-290 (Sub-No. 343X)

**CENTRAL OF GEORGIA RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN NEWTON COUNTY, GEORGIA**

EXEMPTION NOTICE

DRAFT NOTICE OF EXEMPTION

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 290 (Sub-No. 343X)]

Central of Georgia Railroad Company – Abandonment Exemption – In Newton County, Georgia

Central of Georgia Railroad Company (CGA), a wholly-owned subsidiary of Norfolk Southern Railway Company, has filed on July 1, 2013, a verified notice of exemption under 49 C.F.R. part 1152, subpart F–Exempt Abandonments to abandon 14.90 miles of rail line (hereinafter, the “Line”) located in Newton County, Georgia. The Line extends from milepost E 65.80 (at the point of the Line’s crossing of Route 229 in Newborn, Georgia) to milepost E 80.70 (near the intersection of Washington Street, SW, and Turner Lake Road, SW, in Covington, Georgia). The line traverses United States Postal Service Zip Codes 30014, 30055, and 30056.

CGA has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the subject line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court, or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To

address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on August 20, 2013, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),² and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by _____, 2013. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 2013, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CGA's representative:
Robert A. Wimbish, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300,
Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CGA has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by _____ 2013. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA, at (202) 245-0305. Assistance for the hearing impaired is

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each OFA must be accompanied by the filing fee, which is currently set at \$1,500. See 49 C.F.R. § 1002.2(f)(25).

available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, if and where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), CGA shall file a notice of consummation with the Board to signify that it has exercised the authority granted and has fully abandoned the line. If consummation has not been effected by CGA's filing of a notice of consummation by _____, 2014, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: _____.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.