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**SURFACE
TRANSPORTATION BOARD**

ATTORNEYS and COUNSELLORS
2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE (202) 663-7820
FACSIMILE (202) 663-7848

ROBERT A WIMBISH

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

December 19, 2011

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**SURFACE
TRANSPORTATION BOARD**

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: *Norfolk Southern Railway Company – Abandonment Exemption – In Henry and Spalding Counties, GA*
STB Docket No. AB-290 (Sub-No. 331X)

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 Norfolk Southern Railway Company's verified abandonment notice of exemption.

A check in the amount of \$3,600.00 is enclosed to cover the applicable filing fee, as is a CD containing an electronic version of a draft federal register notice.

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.

Sincerely,



Robert A. Wimbish
Attorney for Norfolk Southern
Railway Company

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Office of Proceedings

DEC 19 2011

Part of
Public Record

Enclosures

cc: Greg Summy, Marc Kirchner, Kearston Comegys

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DEC 19 2011

**SURFACE
TRANSPORTATION BOARD**

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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
- ABANDONMENT EXEMPTION -
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

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DEC 19 2011

TRANSPORTATION BOARD

**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 Norfolk Southern
Railway Company**

December 19, 2011

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

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MANAGEMENT
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STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

Norfolk Southern Railway Company (“NSR”) hereby submits the following 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 4.92 miles of rail line (hereinafter, the “Line”) located in Henry and Spalding Counties, GA. The Line extends from milepost 4.80 M (south of Meredith Park Drive near the Line’s crossing of Indian Creek in McDonough, GA) to milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA). In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), NSR provides the following information in support of its abandonment notice:

Certification: 49 C.F.R. § 1152.50(b)

NSR certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 C.F.R. Part 1152, Subpart F. See Certification of R. A. Bartle, General Manager Western Region of Norfolk Southern Railway 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 during that period.

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

The abandonment will be consummated on or after February 7, 2012 (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)):

Norfolk Southern Railway Company

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

NSR is a Class I 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)):

NSR hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon approximately 4.92 miles of rail line (hereinafter, the "Line") located in Henry and Spalding Counties, GA. The Line extends from milepost 4.80 M (south of Meredith Park Drive near the Line's crossing of Indian Creek in McDonough, GA) to milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA).

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)):

NSR's representative to whom correspondence regarding this abandonment should be sent 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: 30223, 30228, 30248, and 30253.

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

NSR does not hold fee title to most, if not all, of the subject right of way underlying the line proposed for abandonment. Therefore, NSR will not have a contiguous corridor available for public use. NSR has no opinion about whether any of the right-of-way would be suited for other public purposes, but reiterates that most, if not all, of the subject right-of-way is by way of easement. Much of the land surrounding the Line used for residential purposes, particularly on the southern end of the Line, and so NSR believes that the subject right-of-way would be best suited for such use as well. The Line does not contain federally-granted right-of-way. As appropriate, NSR is willing promptly to make available any information in its possession to anyone so requesting it.

Labor Protection

Since the line to be abandoned has been out of service for over two years, NSR 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, NSR 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

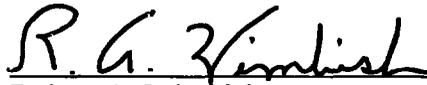
Attached hereto as Exhibit C are Certificates of Service and Publication certifying that NSR has complied with the notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as Exhibit D is a certification

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), NSR has prepared a consolidated 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 is also attached hereto as Attachment 1 to Exhibit D (NSR’s section 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 Norfolk Southern Railway Company

December 19, 2011

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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

VERIFICATION

VERIFICATION

I, John H. Friedmann, Vice President for Norfolk Southern Railway Company ("NSR"), 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 9th day of December, 2011.



John H. Friedmann
Vice President

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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

EXHIBIT A

CERTIFICATION

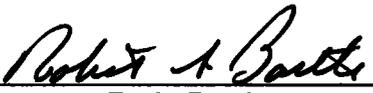
CERTIFICATION

STATE OF GEORGIA:

ss:

CITY OF ATLANTA:

R. A. Bartle makes oath and says that he is General Manager Western Region for Norfolk Southern Railway Company; that the line between milepost 4.8 M and milepost 9.72 M in McDonough, Henry and Spalding Counties, Georgia 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.



R. A. Bartle

Subscribed and sworn to before me
this 28th day of October, 2011.



Notary Public

My commission expires:

April 20, 2015



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

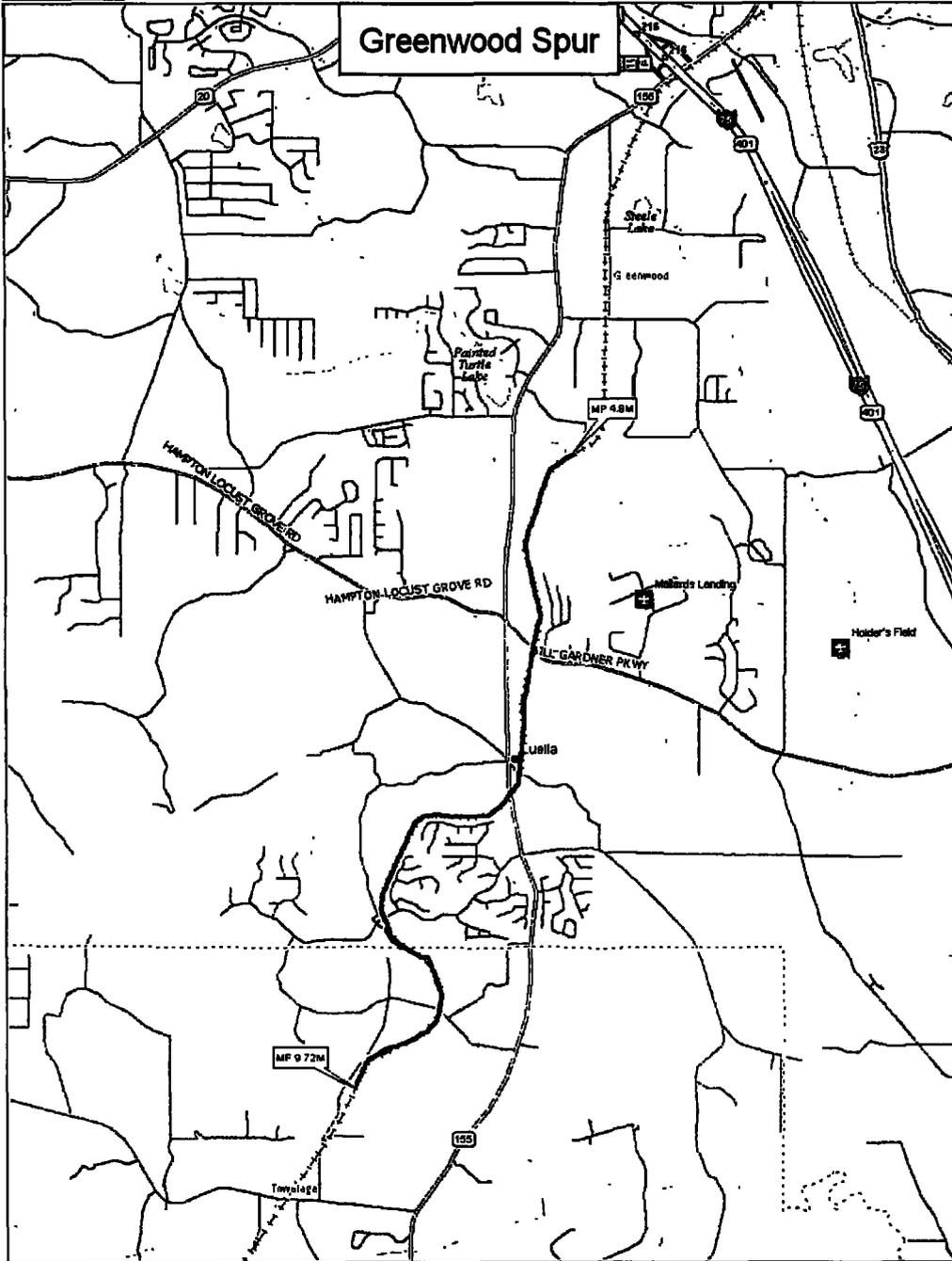
STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

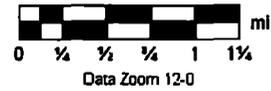
EXEMPTION NOTICE

EXHIBIT B

MAP



Data use subject to license
 © DeLorme DeLorme Street Atlas USA® 2011
 www.delorme.com



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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

EXHIBIT C

**CERTIFICATIONS OF
SERVICE/PUBLICATION**

Certificate of Service

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that on November 14, 2011, in accordance with the requirements of 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Norfolk Southern Railway Company to use the Board's notice of exemption procedures to abandon approximately 4.92 miles of rail line located in McDonough, Henry, and Spalding Counties, GA:

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

Georgia Planning Research and Evaluation Division
270 Washington Street, SW, 8th floor
Atlanta, GA 30334

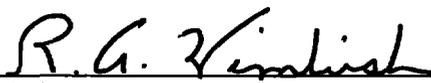
Georgia Department of Transportation
One Georgia Center
600 West Peachtree NW
Atlanta, GA 30308

David Dorfman
SDDC TEA
Railroads for National Defense
709 Ward Dr., Bldg. 1990
Scott AFB, IL 62225

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

Thomas L. Tidwell, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

December 19, 2011

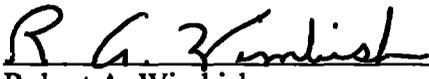

Robert A. Wimbish
Attorney for Norfolk Southern
Railway Company

Certificate of 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 each in the Henry Daily Herald (November 25, 2011), and the Griffin Daily News (November 18, 2011), newspapers of general circulation, respectively, in Henry and Spalding Counties, GA.

December 19, 2011



Robert A. Wimbish
Attorney for Norfolk Southern
Railway Company

Copy of Advertisement

**NOTICE OF INTENT TO
ABANDON RAIL SERVICE**
STB Docket No. AB-290
(Sub-No. 331X)

Norfolk Southern Railway Company ("NSR") gives notice that on or about November 28, 2011, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152 Subpart F - Exempt Abandonments, permitting NSR to abandon approximately 4.72 miles of rail line (hereinafter, the "Line") located in Henry and Spalding Counties, GA. The Line extends from milepost 4.8 M (south of Meredith Park Drive near the Line's crossing of Indian Creek in McDonough, GA) to milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA). The Line traverses United States Postal Zip Code territories 30223, 30228, 30248, and 30253. The proceeding will be docketed as STB Docket No. AB-290 (Sub-No. 331X).

The proposed action entails the abandonment of, and discontinuance of rail service over, the Line. The Board's Office of Environmental Analysis (OEA) generally will prepare an Environmental Assessment (EA), which normally will be available 25 days after the filing of the abandonment notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public. Such comments will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Robert A. Wimbish, BAKER & MILLER, PLLC, 2401 Pennsylvania Ave., N.W., Suite 1300, Washington, DC 20037, phone: 202-663-7823, fax 202-663-7849
Nov-25, 2011-44359

State of Georgia
County of Henry

Personally appeared before the undersigned, **Linda Brooks**, who after being first duly sworn states that she is the legal clerk for the Daily Herald, official legal organ of HENRY COUNTY, GEORGIA, and that upon her own personal knowledge she knows that the advertisement, a true copy of which is hereto annexed, was published in said newspaper of general circulation on the following dates:

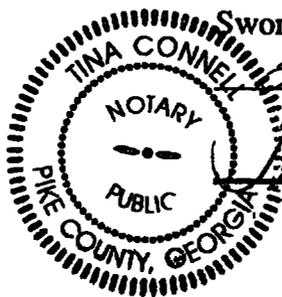
Nov. 25, 2011

Linda Brooks

Affiant

Sworn to and subscribed before me this

25 day of Nov., 2011



Tina Connell

Notary Public Pike County, Georgia
My Commission Expires July 11, 2014

AFFP

11-1624LNOTICE OF INTENT TO AB

Affidavit of Publication

STATE OF GEORGIA }
COUNTY OF SPALDING } SS

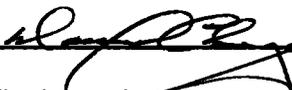
David Clevenger, being duly sworn, says:

That he is the Publisher of the The Griffin Daily News, a daily newspaper of general circulation, printed and published in Griffin, Spalding County, Georgia; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

November 18, 2011

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 18th day of November 2011.



NOTARY PUBLIC, SPALDING COUNTY, GEORGIA

11-1624L

NOTICE OF INTENT TO ABANDON RAIL SERVICE

STB Docket No. AB-290 (Sub-No. 331X)

Norfolk Southern Railway Company ("NSR") gives notice that on or about November 28, 2011, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R Part 1152 Subpart F – Exempt Abandonments, permitting NSR to abandon approximately 4.72 miles of rail line (hereinafter, the "Line") located in Henry and Spalding Counties, GA. The Line extends from milepost 4.8 M (south of Meredith Park Drive near the Line's crossing of Indian Creek in McDonough, GA) to milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA). The Line traverses United States Postal Zip Code territories 30223, 30228, 30248, and 30253. The proceeding will be docketed as STB Docket No. AB-290 (Sub-No. 331X).

The proposed action entails the abandonment of, and discontinuance of rail service over, the Line. The Board's Office of Environmental Analysis (OEA) generally will prepare an Environmental Assessment (EA), which normally will be available 25 days after the filing of the abandonment notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public. Such comments will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, 395 E Street, SW, Washington, D C. 20423, or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Robert A. Wimbish, BAKER & MILLER PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037; phone: 202-663-7823; fax 202-663-7819.

November 18, 2011

40070215 40075017

BAKER & MILLER PLLC
2401 PENNSYLVANIA AVE N.W STE 300
DC, WA 20037

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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

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. 331X) was mailed via first class mail on November 3, 2011, to the following parties:

Ms. Elizabeth Mathis, Chairman
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

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

Mr. William P. Wilson, Jr
County Manager
Spalding County Government
P.O. Box 1087
Griffin, GA 30223

Ga. Dept. of Natural Resources
Kevin Farrell
2 Martin Luther King Jr. Drive, S.E.
Suite 1252, East Tower
Atlanta, GA 30334

Georgia Planning Research and
Evaluation Division
8th Floor, 270 Washington Street, S.W.
Atlanta, GA 30334

Ga. Department of Natural Resources Coastal
Resources Division
Kelie Moore
One Conservation Way
Suite #300
Brunswick, GA 31520

United States Army Corps of Engineers
Edward B. Johnson, Jr.
Savannah District
1590 Adamson Parkway, Suite 200
Marrow, Georgia 30260-1777

National Park Service
Southeast Region
100 Alabama Street, S.W.
Atlanta, GA 30303

US Fish and Wildlife Service
Robin Goodloe
Georgia Ecological Services
105 West Park Dr. Suite D
Athens, GA

National Park Service
Charlie Stockman
Rivers and Trail Service Program
1201 Eye St. NW, 9th Floor
Washington, D.C

US Fish and Wildlife Service
Sandy Abbott
West Georgia Ecological Service Sub Office
P.O. Box 52560
Ft. Benning, GA 31995-2560

NOAA -National Geodetic Survey
Geodetic Services Division
Room 9292, NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

USDA-NRCS
James E. Tillman, Sr.
Stop Number 200
355 East Hancock Avenue
Athens, GA 30601

Georgia Department of Transportation
One Georgia Center
600 West Peachtree NW
Atlanta, GA 30308

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



Marcellus C. Kirchner
November 3, 2011



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-9202

Marcellus C. Kirchner
Director Strategic Planning
(757) 629-2679
(757) 533-4884 FAX

November 4, 2011

RE: STB Docket No AB-290 (Sub-No. 331X), Norfolk Southern Railway Company -
Abandonment – in Henry and Spalding Counties, Georgia

Dear Sir/Madam:

Please refer to my letter of November 3, 2011 distributing the combined Environmental and Historic report (“E&HR”) in the above-captioned proceeding.

Enclosed for your records is a copy of the revised Certificate of Service for the E&HR.

If you have any questions concerning this proposed abandonment and/or the attached E&HR, please contact Kearston Comegys at (757) 629-2803.

Sincerely,

A handwritten signature in black ink, appearing to be the name of Marcellus C. Kirchner. The signature is fluid and cursive, with a long horizontal stroke at the end.

ATTACHMENT 1
ENVIRONMENTAL AND HISTORIC REPORT
INCLUDING SAMPLE TRANSMITTAL LETTER



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-9202

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

November 3, 2011

RE: STB Docket No. AB-290 (Sub-No. 331X), Norfolk Southern Railway Company - Abandonment – in Henry and Spalding Counties, Georgia

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost 4.8 M and Milepost 9.72 M, a distance of 4.92 miles, located in Henry and Spalding Counties, Georgia.

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 Kearston Comegys by email at Kearston.Comegys@nscorp.com, or by mail to:

Kearston Comegys
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', with a long horizontal flourish extending to the right.

Marcellus C. Kirchner
Director Strategic Planning
Norfolk Southern Railway Company

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO. AB-290 (Sub-No. 331X)

NORFOLK SOUTHERN RAILWAY COMPANY

PROPOSED RAIL LINE ABANDONMENT

**BETWEEN MILEPOST 4.8M and MILEPOST 9.72M
IN HENRY and SPALDING COUNTIES, GEORGIA**

Combined Environmental and Historic Report

November 3, 2011

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**STB DOCKET NO. AB-290 (Sub-No. 331X)
NORFOLK SOUTHERN RAILWAY COMPANY
PROPOSED RAIL LINE ABANDONMENT**

**BETWEEN MILEPOST 4.8M and MILEPOST 9.72M
IN HENRY and SPALDING COUNTIES, GEORGIA**

Combined Environmental and Historic Report

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, for an exempt abandonment of 4.72 miles of rail line between railroad mileposts 4.8 M and 9.72 M in Henry and Spalding Counties, 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: Norfolk Southern Railway Company (NSR) proposes to abandon 4.72 miles of rail line between railroad milepost 4.8M and railroad milepost 9.72M in Henry and Spalding Counties, Georgia. The line has been out of service for many years. The track between milepost 8.25M and the end of the line at 9.72M has been removed, and, accordingly, no salvage activity will take place along this portion of the line.

Following abandonment, the rail and track materials remaining on this line segment will be salvaged. Salvage operations will consist of removing the track structure from the existing roadbed. The contours of the existing roadbed will remain as is and existing drainage systems will remain intact. When the track structure is removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed. No digging or burying of any kind is permitted. All track material is removed and steel is either reused or sold as scrap. Crossties may be reused in other railroad operations or disposed of in accordance with applicable federal and state laws and regulations.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory. NSR would incur opportunity and other holding costs that would need to be covered by other customers were this line segment to be retained.

A map delineating the line proposed for abandonment is attached as **Appendix A**. The railroad's letter to federal, state and local government agencies are attached as **Appendix B**. Responses to the letter or other comments received as a result of consultations 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 are expected to be negligible. There is no rail freight or passenger traffic remaining on the line segment proposed for abandonment.

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 City of McDonough and the Spalding and Henry Counties Commissioners. These agencies were also asked to comment on the consistency of the proposed abandonment with existing land use plans. A copy of the responses from the Henry

County Department of Planning and Zoning and the Spalding County Community Development Department are attached in **Appendix C**.

(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. A copy of their response indicating an absence of prime farmland in the project area is attached in **Appendix C**.

(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 the Georgia Department of Natural Resources, Coastal Resources Division. A copy of their response indicating that the project is not likely to have impacts on coastal counties is attached in **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: NSR does not hold fee title to the entire right of way underlying the line proposed for abandonment. For this reason, NSR does not have a contiguous corridor available for public use, but NSR may be willing to negotiate with interested parties for alternative public use to the extent that it may be appropriate to do so.

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 as no freight or passenger traffic is moving over the line, and the line did not carry any energy resources when it was last in operation.

(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 as no freight or passenger traffic is moving over the line, and the line did not carry such commodities when it was last in operation.

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

RESPONSE: The proposed action will not result in an increase or decrease in overall energy efficiency as no freight or passenger traffic has moved over the line in over two years.

*(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.

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. Henry and Spalding Counties in Georgia are 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 captioned rail line 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: NSR does not believe that any federally listed endangered species or their habitats will be adversely affected by the abandonment. A consultation was requested from the U.S. Fish and Wildlife Service (USFWS) to ascertain any impacts to surrounding habitats and species. The responses indicated no concerns for listed species in either county and are attached in **Appendix C**.

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

RESPONSE: Based on the site investigation, the line segment proposed for abandonment does not pass through state parks or forests, national parks or forests, or wildlife sanctuaries. 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: NSR does not intend to remove or alter the contour of the roadbed underlying the rail line to be abandoned. Since there are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment, water quality impacts are not expected in connection with the proposed action. Consultation was requested from the Georgia Department of Natural Resources and from the United States Environmental Protection Agency. The Georgia Department of Natural Resources concurred that our proposed action was consistent with Georgia water quality standards and stated that no NPDES permit was required for the proposed action.

(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 which confirmed, in a response attached in Appendix C, that no Section 404 permit will be required

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

RESPONSE: There are no intentions 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 should be no significant effects to water quality or the need to acquire a Section 402 permit under the Federal Water Pollution Control Act; however, consultation was requested from the Environmental Protection Agency and from 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 line is not expected to produce adverse environmental impacts. Only minimal physical activity may occur, such as removal of rail, ties, and other railroad appurtenances. The railroad will undertake all reasonable mitigation associated with these activities to assure the abandonment does

not produce adverse environmental impacts.

HISTORIC REPORT

PROPOSED ACTION AND ALTERNATIVES

Norfolk Southern Railway Company (NSR) proposes to abandon 4.92 miles of rail line between railroad milepost 4.8M and railroad milepost 9.72M in Henry and Spalding Counties, Georgia. The track between milepost 8.25M and the end of the line at 9.72M has been removed, and, accordingly, no salvage activity will take place along this portion of the line.

Following abandonment the line segment will be salvaged. Salvage operations will consist of removing the remaining rail and track materials from the existing roadbed. The contours of the existing roadbed will remain as is and existing drainage systems will remain intact. When the track structure is removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed. No digging or burying of any kind is permitted. All track material is removed and steel is either reused or sold as scrap. Crossties may be reused in other railroad operations or disposed of in accordance with applicable federal and state laws and regulations.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory. NSR would incur opportunity and other holding costs that would need to be covered by other customers were this line segment to be retained.

A map delineating the line proposed for abandonment is attached in **Appendix A**.

ADDITIONAL INFORMATION

(1) **U.S.G.S. Topographic Map** -- Maps were furnished to the Georgia Historic Preservation Division, Bureau for Historic Preservation.

(2) **Written Description of Right of Way** -- The right-of-way width is 100 feet on each side of the main track centerline. The line passes through suburban residential areas. Pursuant to Surface Transportation Board (STB) policy, the railroad right-of-way will constitute the Area of Potential Effect (APE) for this undertaking.

(3) **Photographs** – Photographs are attached of the sole structure on the line, a 143.55 ft. long, pile trestle with a timber bent-driven deck located at milepost 4.90M, which crosses Indian Creek.

(4) **Date of Construction of Structures** – The sole structure on the line segment proposed for abandonment is a bridge built in 1943. No changes have been made to the bridge other than periodic normal maintenance to replace worn components.

(5) **History of Operations and Changes Contemplated** - The line of railroad that is the subject of the related notice to the STB is a 4.92 mile segment of rail line between Mileposts 4.8 M and 9.72 M near McDonough, in Henry and Spalding Counties, Georgia.

The rail line segment to be abandoned is part of a line of railroad originally constructed in 1886 and 1887 by the Georgia Midland and Gulf Railroad Company (GM&G). The GM&G constructed 99.452 miles of line between Columbus, GA and McDonough, GA

In 1890 the GM&G leased the Columbus Southern Railway (Columbus to Albany), but was forced to cancel the lease the following year due to financial issues. Consequently, the GM&G entered bankruptcy in 1895.

The Georgia Midland Railway Company was formally organized and title to The Georgia Midland and Gulf Railroad Company was incorporated in Georgia on March 27, 1896 under the General Law of Georgia, approved December 17, 1892, and amended December 15 1894 for the purpose of owning, maintaining, and operating the property rights and franchises formally owned by The Georgia Midland and Gulf Railroad Company.

On April 22, 1896, the Georgia Midland Railway Company leased the terminal facilities of the Georgia Midland Terminal at Griffin, GA and Columbus, GA at an annual rental of \$2,500. Shortly after they leased the terminal facilities Georgia Midland Railway Company was leased on June 18, 1896, to Southern Railway Company for 99 years and 3 months (expiring October 2, 1995) at a rental equivalent to 3% per annum on \$1,650,000 First Mortgage Bonds.

Southern Railway Company was incorporated in 1894. Norfolk Southern Corporation acquired control of Southern Railway Company along with Norfolk and Western in June 1, 1982. In December 1990, Southern Railway Company changed its name to Norfolk Southern Railway Company and Norfolk and Western Railway Company became a wholly owned subsidiary of Norfolk Southern Railway Company.

(6) Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic - While plans may be

available for the structure on the line, it is most likely that any such plans are standard plans used for the construction of similar structures on the dates of construction.

(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places – NSR believes that neither the structure on the line nor the line itself meet the criteria for listing in the *National Register of Historic Places*. There is only one structure along the line that is 50 years old or older – a bridge that is short in length and of ordinary design and construction. NSR believes that there is nothing distinguishing this bridge from others in the region or on the NSR system generally. In addition, NSR 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 line 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.

available for the structure on the line, it is most likely that any such plans are standard plans used for the construction of similar structures on the dates of construction.

(7) Opinion Regarding Criteria For Listing In The National Register Of Historic

Places – NSR believes that neither the structure on the line nor the line itself meet the criteria for listing in the *National Register of Historic Places*. There is only one structure along the line that is 50 years old or older – a bridge that is short in length and of ordinary design and construction. NSR believes that there is nothing distinguishing this bridge from others in the region or on the NSR system generally. In addition, NSR has no reason to believe that there are archaeological resources or historic properties on or immediately adjacent to the line.

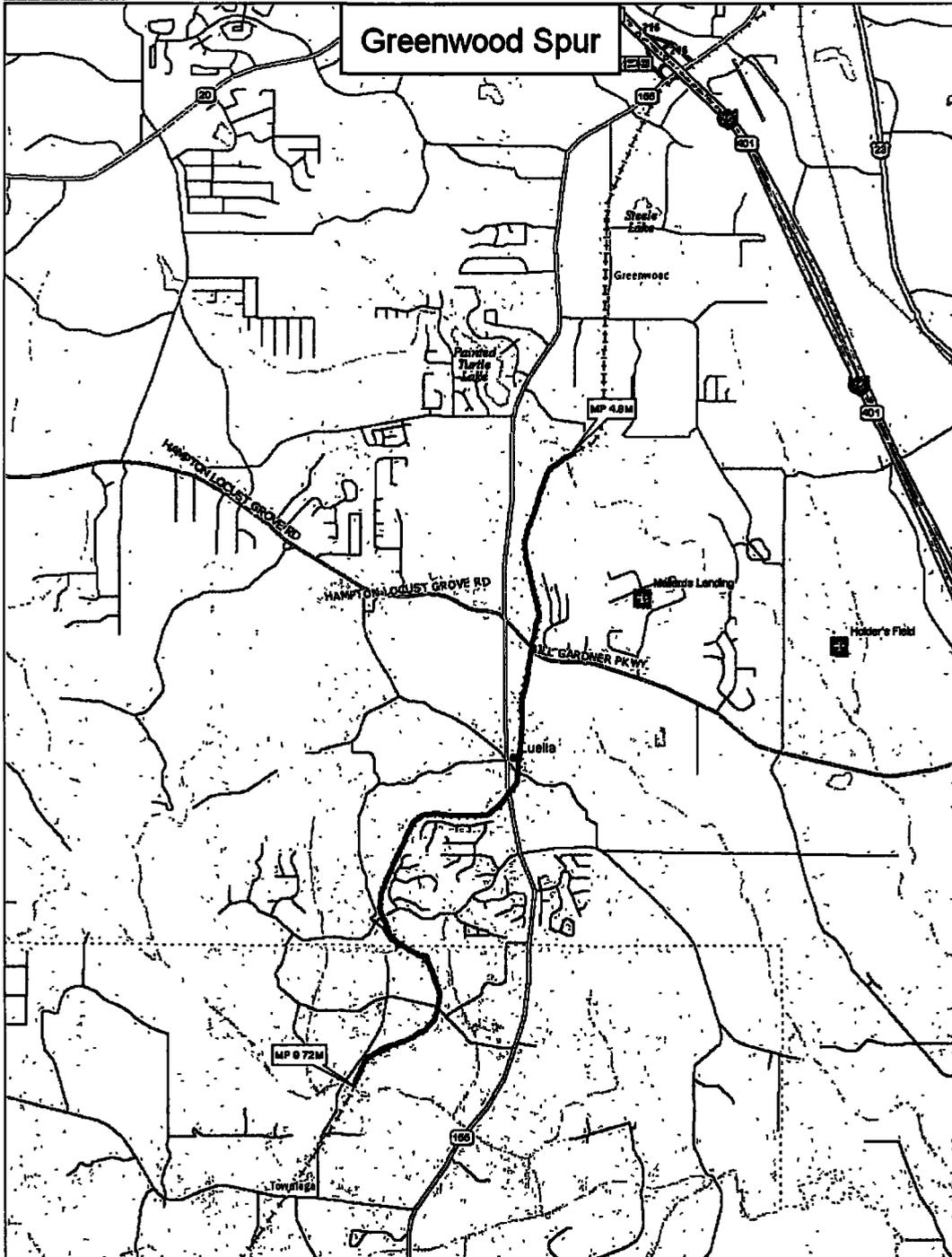
(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery

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 line 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.

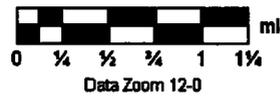
(9) Follow-Up Information - Additional information will be provided as appropriate.

APPENDIX A

Site Map



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www.delorme.com



APPENDIX B
Agency Letters

RECIPIENT LIST

Proposed Rail Line Abandonment of the segment of rail line between MP 4.8M and MP 9.72M, a distance of 4.92 miles, located in Henry County, Georgia.

Ms. Elizabeth Mathis, Chairman
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Mr. William P. Wilson, Jr
County Manager
Spalding County Government
P.O. Box 1087
Griffin, GA 30223

Georgia Planning Research and
Evaluation Division
8th Floor, 270 Washington Street, S.W.
Atlanta, GA 30334

United States Army Corps of Engineers
Edward B. Johnson, Jr.
Savannah District
1590 Adamson Parkway, Suite 200
Marrow, Georgia 30260-1777

US Fish and Wildlife Service
Robin Goodloe
Georgia Ecological Services
105 West Park Dr. Suite D
Athens, GA

US Fish and Wildlife Service
Sandy Abbott
West Georgia Ecological Service Sub Office
P.O. Box 52560
Ft. Benning, GA 31995-2560

USDA-NRCS
James E. Tillman, Sr.
Stop Number 200
355 East Hancock Avenue
Athens, GA 30601

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

Ga. Dept. of Natural Resources
Kevin Farrell
2 Martin Luther King Jr. Drive, S.E.
Suite 1252, East Tower
Atlanta, GA 30334

Ga. Department of Natural Resources Coastal
Resources Division
Kelie Moore
One Conservation Way
Suite #300
Brunswick, GA 31520

National Park Service
Southeast Region
100 Alabama Street, S.W.
Atlanta, GA 30303

National Park Service
Charlie Stockman
Rivers and Trail Service Program
1201 Eye St. NW, 9th Floor
Washington, D.C

NOAA -National Geodetic Survey
Geodetic Services Division
Room 9292, NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

Georgia Department of Transportation
One Georgia Center
600 West Peachtree NW
Atlanta, GA 30308

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

November 3, 2011

RE: STB Docket No. AB-290 (Sub-No. 331X), Norfolk Southern Railway Company -
Abandonment – in Henry and Spalding Counties, Georgia

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost 4.8 M and Milepost 9.72 M, a distance of 4.92 miles, located in Henry and Spalding Counties, Georgia.

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 Kearston Comegys by email at Kearston.Comegys@nscorp.com, or by mail to:

Kearston Comegys
Coordinator-Abandonments
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510

Sincerely,

Marcellus C. Kirchner
Director Strategic Planning
Norfolk Southern Railway Company

APPENDIX C

Agency Responses

Georgia Department of Natural Resources

2 Martin Luther King Jr., Drive, Suite 1152 East Floyd Tower, Atlanta, Georgia 30334

Mark Williams, Commissioner

F. Allen Barnes, Director

Environmental Protection Division

(404) 656-4713

October 7, 2011

Ms. Kearston Comegys, Coordinator Abandonments
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

RE: Docket No AB-290, Norfolk Southern Railway Co.-Abandonment-Henry & Spalding Co.

Dear Ms. Comegys,

This per a September 12, 2011 letter from Marcellus Kirchner to Allen Barnes (GA EPD Director) requesting comment on this proposed rail line abandonment project.

At this time, EPD does concur that the proposed action is consistent with Georgia's water quality standards and also concurs that an NPDES permit (CWA / Section 402) is not required for the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Farrell", with a stylized flourish at the end.

Kevin Farrell
Assistant Branch Chief
Watershed Protection Branch



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

REPLY TO
ATTENTION OF:

September 14, 2011

Regulatory Division
SAS-2011-00828

Ms. Kearston Comegys
Norfolk Southern Corporation
3 Commercial Place
Strategic Planning – 12th Floor
Norfolk, Virginia 23510

Dear Ms. Comegys:

I refer to a request dated August 4, 2011, concerning the abandonment of 4.92 miles of rail line between Milepost 4.80M and Milepost 9.72M, in Locust Grove, Henry and Spalding counties, Georgia (latitude 33.4533, longitude -84.1554). This project has been assigned number SAS-2011-00828 and it is important that you refer to this number in all communication concerning this matter.

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 an "Approved JD Form," which details how the USACE determined jurisdiction and a "JD Check Sheet," which summarizes the JD, delineation verification and appeals process.

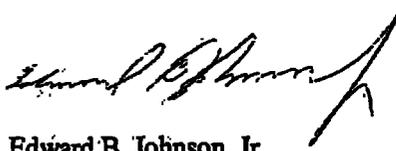
After reviewing all information made available to us, it appears that no fill would be placed in any jurisdictional waters of the US. Therefore, I have determined that no Department of the Army Permit will be required for the proposed bridge under Section 404 of the Clean Water Act.

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.

Revisions to your proposal may invalidate this determination. Should your plans change, or you encounter wetland areas during your construction, please contact this office so that we may determine if Department of the Army Authorization is required.

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our web site at <http://per2.nwp.usace.army.mil/survey.html> 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 questions, please call Ms. Chikita' M. Sanders, Regulatory Specialist, Piedmont Branch at 678-422-6570.

Sincerely,



Edward B. Johnson, Jr.
Chief, Piedmont Branch

Enclosures



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

REPLY TO
ATTENTION OF:

JURISDICTION DELINEATION CHECK SHEET
USACE FILE NUMBER: SAS-2011-00828
DATE: September 14, 2011

A. SECTION 1 - PRELIMINARY JURISDICTIONAL DETERMINATIONS

1. JURISDICTIONAL DETERMINATION (JD). A "preliminary JD" form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the US Army Corps of Engineers (USACE). In summary, the USACE has determined the following with regard to waters present on the site:

_____ There may be navigable waters of the United States (US) within Rivers and Harbors Act (RHA) jurisdiction present.

_____ There may be waters of the US within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ Drawings submitted with a Pre-Construction Notification (or other application) depict the approximate location/boundaries of all potentially jurisdictional waters on the project site. The USACE has verified the accuracy of the depicted boundaries of potentially jurisdictional waters in only the immediate vicinity of waters to be impacted. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.

_____ The drawing entitled "_____" dated _____ is an acceptable sketch of the approximate location/boundaries of all the potentially jurisdictional waters in the project area. This sketch can be used for initial real estate planning; projects with temporary impacts to waters; projects involving minor amounts of fill in waters; or work only subject to our jurisdiction pursuant to Section 10 of the Rivers and Harbors Act of 1899. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.

3. APPEALS OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The preliminary JD is a "non-binding" written indication that there may be waters of the US on a parcel. Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR 331.2)." If you are not in agreement with this preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

B. SECTION - EXPANDED PRELIMINARY JURISDICTIONAL DETERMINATIONS:

1. JURISDICTIONAL DETERMINATION (JD). An "expanded preliminary JD" form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

_____ There may be navigable waters of the United States (US) within Rivers and Harbors Act (RHA) jurisdiction present.

_____ There may be waters of the US within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ The Global Positioning System (GPS) delineation entitled "_____", dated _____, is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, **"WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2011-00828. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WATERS 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 _____, and signed by Registered Land Surveyor _____, is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on the final surveyed property plat to the effect

that, "WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2011-00828. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WATERS 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 OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The expanded preliminary JD is a "non-binding" written indication that there may be waters of the US on a parcel. Expanded Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR. 331.2)." If you are not in agreement with this expanded Preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

C. SECTION 3 - APPROVED DETERMINATIONS: As defined in Regulatory Guidance Letter 08-02, an approved JD is an official Savannah District determination that jurisdictional "waters of the United States" or "navigable waters of the United States," or both, are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the Clean Water Act (CWA) and/or the Rivers and Harbors Act (RHA).

1. JURISDICTIONAL DETERMINATION (JD). An "approved JD" form was completed for the site pursuant to the June 5, 2007, "US Army Corps of Engineers (USACE) JD Form Instructional Guidebook." The form details whether streams, wetlands and/or other waters present on the site are subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

_____ There are navigable waters of the (US) within (RHA) jurisdiction present.

_____ There are waters of the US within (CWA) jurisdiction present.

_____ There are non-jurisdictional waters of the US located in the project area.

There are no jurisdictional waters of the US located in the project area.

2. APPROVED DETERMINATION - ISOLATED, NON-JURISDICTIONAL WATERS. If Appendix E of the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers" was submitted, you have requested that the USACE verify the presence of isolated, non-jurisdictional waters located at the project site or within the review area. The completed Appendix E form is available at <https://sasweb.sas.usace.army.mil/JD/>, under the above listed file number. You may also request that a printed copy of the form be mailed to you. This isolated, non-jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that

date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ There are isolated non-jurisdictional waters present that are not subject to CWA jurisdiction. Specifically, wetland(s) [letter of wetlands here], as identified on the exhibit entitled "_____" is/are isolated, non-jurisdictional wetlands. Department of the Army authorization, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), is not required for dredge and/or fill activities in these areas:

3. APPROVED DETERMINATION. (other than isolated, non-jurisdictional waters): If Appendix B of the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers" was submitted, you have requested that the USACE verify the presence of jurisdictional waters located at the project site or within the review area. The completed Appendix B form is available at <https://sasweb.sas.usace.army.mil/JD/>, under the above listed file number. You may also request that a printed copy of the form be mailed to you. This jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ The Global Positioning System (GPS) delineation entitled "_____", dated _____, is an accurate delineation of all the jurisdictional boundaries on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, "**JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2011-00828. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION.**" This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.

_____ The survey entitled "_____", dated _____, and signed by Registered Land Surveyor _____, is an accurate delineation of all the jurisdictional boundaries on the site. 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 DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2011-00828. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION.**" This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.

4. APPEALS FOR APPROVED JURISDICTIONAL DETERMINATIONS: You may request an administrative appeal for any approved geographic jurisdictional determination under USACE regulations at 33 Code of Federal Regulation (CFR) Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process 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:

US Army Corps of Engineers, South Atlantic Division
Attention: CESAD-PDS-O, Administrative Appeal Review Officer
60 Forsyth Street, Room 10M15
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.

D. SECTION 4 - APPLIES TO ALL OF THE ABOVE.

- 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:

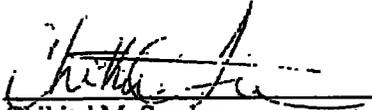
_____ Verified Survey of Jurisdictional Streams, Wetlands and/or Other Waters

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

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

____ Approved Jurisdictional Determination Form(s)

X Notification of Administrative Appeal Options and Process and Request for Appeal Form



Chikita M. Sanders
Regulatory Specialist, Piedmont Branch

09 14 2011
DATE

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS

Applicant: Ms. Kearston Comegys	File Number: SAS-2011-00828	Date: September 14, 2011
---------------------------------	-----------------------------	--------------------------

Attached is:	See Section below
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<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/> PERMIT DENIAL	C
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above. Additional information may be found at <http://www.usace.army.mil/tees/functions/cw/cwcew/tes> or Corps regulations at 34 CFR Part 31.

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. The division engineer must receive this form 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 OF 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:
Ms. Chikita Sanders
US Army Corps of Engineers, Savannah District
1590 Adamson Parkway, Suite 200
Morrow, Georgia 30260-1777
678-422-6570

If you only have questions regarding the appeal process you may also contact:
Administrative Appeal Review Officer
CESAD-PDS-O
US Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
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:
----------------------------------	-------	-------------------



Henry County
Department of Planning & Zoning
Cheri Hobson-Matthews, Director

September 23, 2011

Ms. Kearston Comegys
Coordinator Abandonments
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Re: Docket No. AB-290 (Sub-No. 331X), Norfolk Southern Railway Company
Abandonment – in Henry and Spalding Counties, Georgia

Dear Ms. Comegys,

Thank you for allowing Henry County the opportunity to review and comment on the proposed abandonment of 4.92 miles of rail line between Milepost 4.80M and Milepost 9.72M in Henry and Spalding Counties. Henry County certainly sees this as advantageous, as this rail line is located within a “corridor requiring special attention.” In response to your correspondence the county offers the following:

- The proposed abandonment does support our Joint County/City Comprehensive Plan and Future Land Use Map, creation of Activity Centers, in as much the county identified this corridor as a potential “Rails-to-Trails Project”; and
- Furthermore, the rail line falls within an Activity Center inclusive of an existing commercial center, neighborhoods and institutions, with the potential to add a recreational component; and
- The County’s Comprehensive Transportation Plan identified as a critical goal the need to incorporate multi-modal choices within our Activity Centers; and
- Consistent with Spalding County’s Rails-to-Trails Program and supports the implementation of the Atlanta Regional Commission (ARC) Regional Bicycle Transportation and Pedestrian Walkways Plan.

However, the proposed abandonment of this rail line, as reflected on the attached map, does traverse an Industrial Area which is critical to the economic vitality of both our community and the region. Any adverse impact this abandonment would have on the economic development potential of this area would certainly be inconsistent with our long-range goals for this area.

Again, thank you for the opportunity to offer comments in consideration of the proposal. Should you wish to discuss further, please feel free to contact Michael Harris, Division Director, Planning and Zoning Services Division or myself at 770-288-7526.

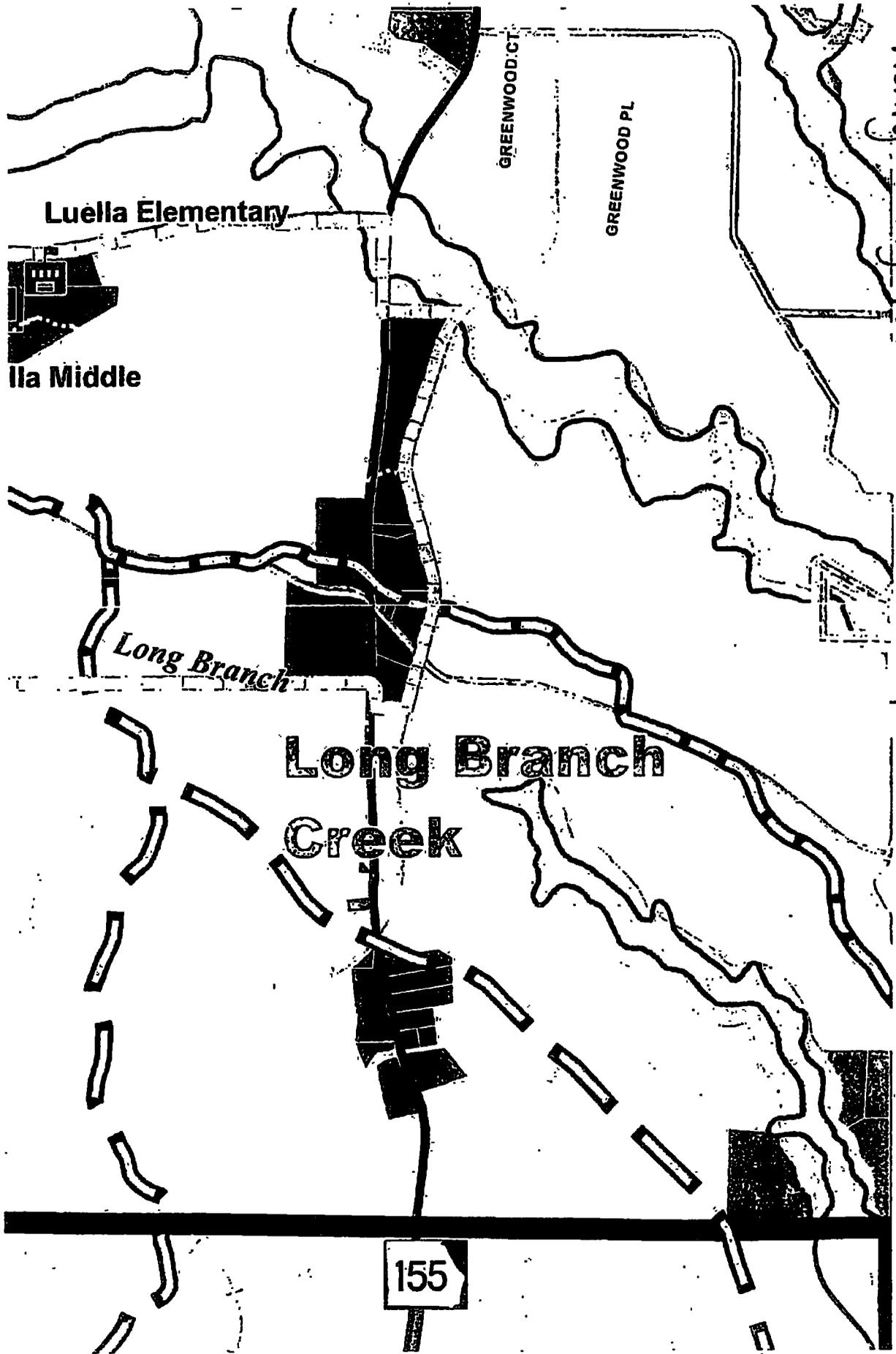
Very Truly Yours,


Cheri Hobson-Matthews

cc: Michael Harris, Division Director, Planning and Zoning Services
Terry McMickle, Division Director, Public Works

140 Henry Parkway • McDonough, Georgia 30253
MAIN: (770) 288-7526 • FAX: (770) 288-6440

Henry County Future Land Use Map



Luella Elementary

Ila Middle

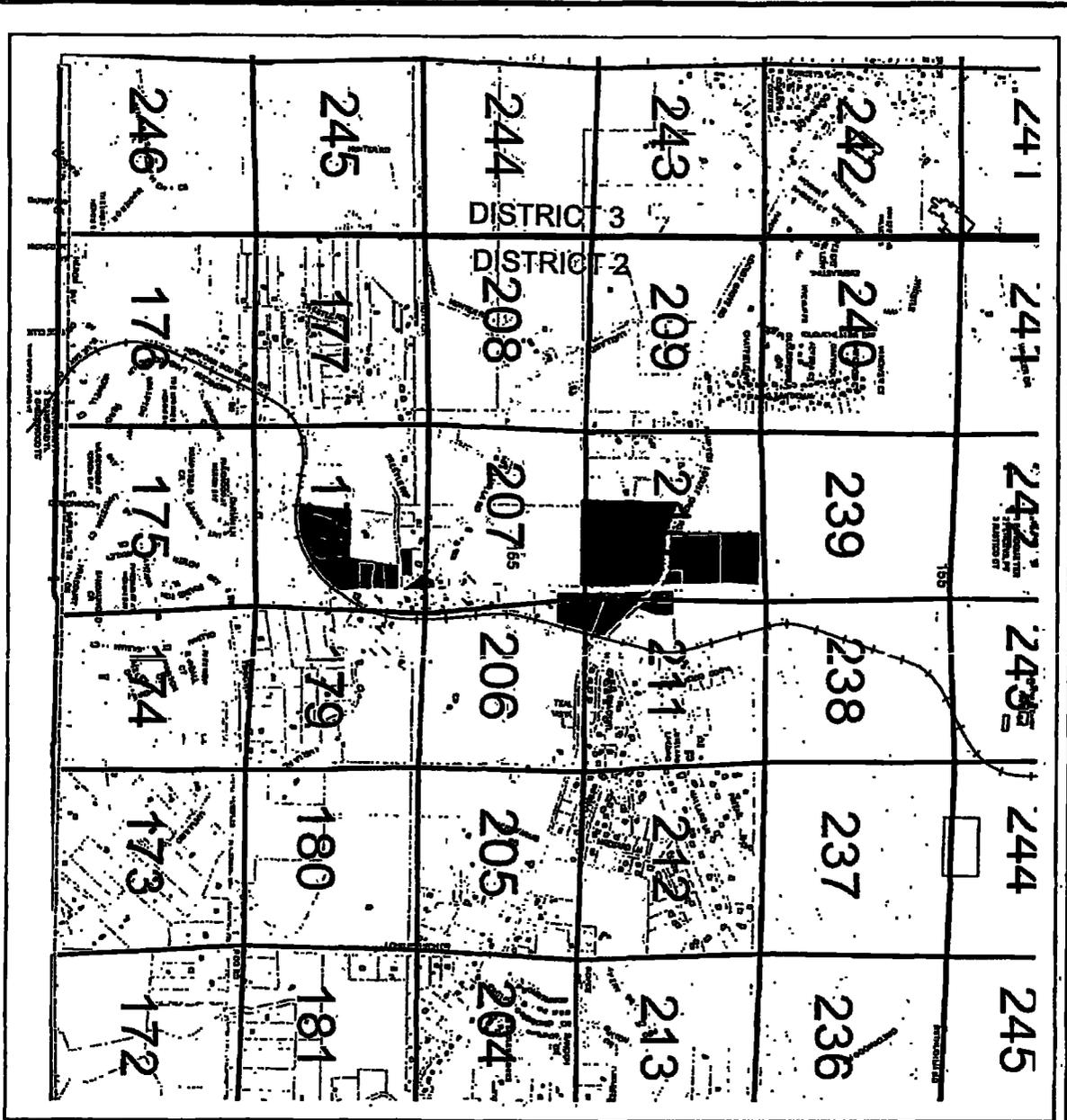
GREENWOOD CT

GREENWOOD PL

Long Branch

Long Branch
Creek

155



Legend

- RA
- RS
- R-1
- R-2
- R-3
- R-4
- RD
- RM
- RMH
- OI
- C-1
- C-2
- C-3
- M-1
- M-2
- PD
- CITY

Scale: 1" = 800'

CURRENT ZONING

This map is for graphical representation only. It is not a legal document.

Future Land Use

-  Rural Residential (≤1 Unit/Acre)
-  Low Density Residential (1.0-2.0 Units/Acre)
-  Medium Density Residential (2.0-3.8 Units/Acre)
-  Medium-High Density Residential (3.8-6 Units/Acre)
-  High Density Residential (6-16 Units/Acre)
-  Commercial
-  Office Institutional
-  Industrial

Public Institutional

Park/Recreation/Conservation

Transportation/Communication/Utilities

Parcels within City Limits

Activity Centers

-  Crossroads
-  School Node
-  Suburban Employment Center
-  Village Center
-  Specialty Use Center

Functional Road Plan

-  Interstate Highways
-  Major Arterials - US and State
-  Major Arterials - Other
-  Minor Arterials
-  Collector Roads
-  Base Data
-  School
-  Planned Transportation Improvements
-  Interstate Highway
-  Major Road
-  Road

Railroad

100-Year Floodplain

River/Stream

Watershed Boundary

Water Quality Critical Areas

Lake/Pond

Parcel Boundary

City Boundary as of 10/03/06

County Boundary

Other County Boundary

Comegys, Kearston

From: Sandy_Abbott@fws.gov
Sent: Monday, September 12, 2011 5:00 PM
To: Comegys, Kearston
Cc: robin_goodloe@fws.gov
Subject: Re: Norfolk Southern Rail Abandonment
Attachments: pic00148.gif; Greenwood Spur ltr resent to: FWS.pdf

Kearston,

I don't have any concerns related to t&e species in the Spalding County portion of this project.

Sandy Abbott
USFWS
West GA Ecological Service Sub Office
706-544-7518
"Comegys, Kearston" <kearston.comegys@nscorp.com>

"Comegys, Kearston"
<kearston.comegys@nscorp.com>

09/12/2011 11:41 AM

To "robin_goodloe@fws.gov"
<robin_goodloe@fws.gov>

cc "sandy_abbott@fws.gov"
<sandy_abbott@fws.gov>

Subject Norfolk Southern Rail Abandonment

Robin and Sandy,

I am writing you in reference to a letter from Marcellus Kirchner concerning a rail line abandonment in Henry and Spalding counties, Georgia. Please find the attached letter and map. I, originally, sent the letter to the regional office. I spoke to Sandy Tucker, who explained you both would be handling this location. We would like some comments from each of your teams. Please let me know if you have any questions.

Thank you for your time.

Kearston Comegys
Coordinator Abandonments / Norfolk Southern
3 Commercial Place Norfolk, VA 23510
Phone 757-629-2803
(See attached file: Greenwood Spur ltr resent to FWS.pdf)

Comegys, Kearston

From: Robin_Goodloe@fws.gov
Sent: Tuesday, September 13, 2011 10:13 AM
To: Comegys, Kearston
Cc: Sandy_Abbott@fws.gov
Subject: Re: Norfolk Southern Rail Abandonment

Hi Kearston,

I have no concerns related to listed species in the Henry County portion of this project.

Thanks for contacting us,

Robin

Robin Goodloe
U.S. Fish and Wildlife Service
Georgia Ecological Services
105 West Park Dr., Suite D
Athens, GA 30606
706-613-9493 X221
706-613-6059 fax

Sandy Abbott/R4/FWS/DOI

09/12/2011 04:59 PM

To "Comegys, Kearston" <kearston.comegys@nscorp.com>
cc: "robin_goodloe@fws.gov" <robin_goodloe@fws.gov>
Subject: Re: Norfolk Southern Rail Abandonment [Link](#)

Kearston,

I don't have any concerns related to t&e species in the Spalding County portion of this project.

Sandy Abbott
USFWS
West GA Ecological Service Sub Office
706-544-7518

"Comegys, Kearston" <kearston.comegys@nscorp.com>

09/12/2011 11:41 AM

To "robin_goodloe@fws.gov" <robin_goodloe@fws.gov>
cc: "sandy_abbott@fws.gov" <sandy_abbott@fws.gov>
Subject: Norfolk Southern Rail Abandonment

Robin and Sandy,



MARK WILLIAMS
COMMISSIONER

A.G. 'SPUD' WOODWARD
DIRECTOR

August 19, 2011

Norfolk Southern Corporation
Attn: Kearston Comegys
Three Commercial Place
Norfolk, Virginia 23510-9202

RE: Consistency Determination for Docket No AB-290 (Sub-No. 331X), Norfolk Southern Railway Company: Abandonment – In Henry and Spaulding Counties, Georgia

Dear Mr. Comegys:

The Georgia Coastal Management Program (GCMP) reviews only those activities that are likely to have direct or indirect impacts on resources within the Coastal Zone Area. Abandonment of 4.92 miles of rail line in Henry and Spaulding counties is not likely to have impacts on coastal counties.

The Program concurs with your Federal Consistency Determination of No Effects. Thank you for your coordination on this project. Please feel free to contact me if I may be of any further assistance in this or other projects.

Sincerely,

Kelie Moore
Federal Consistency Coordinator
Habitat Management Program

United States Department of Agriculture



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

September 6, 2011

Kearston Comegys, Coordinator, Abandonments
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

Re: Docket No AB-290 (Sub-No. 331X), Norfolk Southern Railway Company –
Abandonment – in Henry and Spalding Counties, Georgia

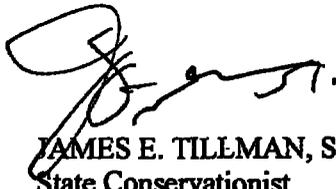
Dear Ms. Comegys:

This reply is to the request for the possible effect of Prime and Statewide Important farmland in the area of the proposed rail line abandonment stated above.

There are prime or important state wide farm lands in the rail line abandonment area. Because you have stated that there are no additional disturbances to the adjacent areas, this project is exempt from Farmland Protect Policy Act (FPPA) guidelines.

If you need additional information, please contact Edward Ealy, State Soil Scientist at (706) 546-2278.

Sincerely,



JAMES E. TILLMAN, SR.
State Conservationist

cc: Shaun Ford, District Conservationist, NRCS, McDonough, GA
Dan Wallace, State Resource Inventory Coordinator, Athens, GA

Helping People Help the Land

An Equal Opportunity Provider and Employer

Comegys, Kearston

From: Chuck Taylor [ctaylor@spaldingcounty.com]
Sent: Tuesday, September 13, 2011 8:27 AM
To: William Wilson Jr.; Comegys, Kearston
Cc: Chad Jacobs; Cindy Mcdaniel
Subject: RE: Norfolk Southern Abandonment

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Comegys:

Upon reviewing the letter from Marcellus Kirchner dated August 4, 2011, the Community Development Department of Spalding County finds no inconsistencies with respect to the abandonment request and our local land use policies. As mentioned by Mr. Wilson, the tracts in question are under private ownership. Should you require any additional information, please do not hesitate to contact me further.

Thanks.

Chad Jacobs
Community Development Director
Spalding County
770.467.4253

From: William Wilson Jr.
Sent: Monday, September 12, 2011 12:35 PM
To: Comegys, Kearston
Cc: Chuck Taylor; Chad Jacobs; Cindy Mcdaniel
Subject: RE: Norfolk Southern Abandonment

Ms. Comegys,

I passed that information on to my Community Development Department for review and comment but I believe the portion of the rail in Spalding County was already under private ownership and only a small portion of the Henry County track was still owned by NS.

I will defer to my CD Department for additional info.

Thanks,

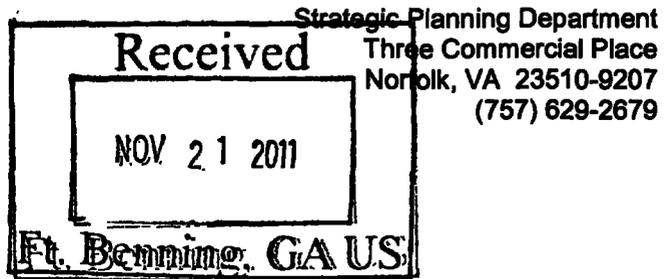
Wm

William P. Wilson, Jr.
County Manager
Spalding County, GA
770.467.4224 direct
770.467.4227 fax
wwilson@spaldingcounty.com

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



Norfolk Southern Corporation
 Three Commercial Place
 Norfolk, Virginia 23510-9202



November 3, 2011

RE: STB Docket No. AB-290 (Sub-No. 331X), Norfolk Southern Railway Company -
 Abandonment – in Henry and Spalding Counties, Georgia

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost 4.8 M and Milepost 9.72 M, a distance of 4.92 miles, located in Henry and Spalding Counties, Georgia.

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 email at Kearston.Comegys@nscorp.com, or,

Kearston Comegys
 Coordinator-Abandonments
 Norfolk Southern Corporation
 Strategic Planning Department



U. S. Fish and Wildlife Service
 105 West Park Drive, Suite D, Athens, GA 30605
 Phone: 706-613-9493 Fax 706-613-6059

FWS Log No. 2012 CPA 0191

Based upon available information, federally listed species are not likely to occur on the project site. However, if new information or changes in the project involve federally listed species, further consultation with the Service will be required.

Sandra S. Tucker, Field Supervisor

11/30/2011
 Date

Comegys, Kearston

From: Sanders, Chikita M SAS [Chikita.M.Sanders@usace.army.mil]
Sent: Wednesday, November 30, 2011 6:50 PM
To: Comegys, Kearston
Subject: STB Docket No. AB-290 (Sub-No. 331X) (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Good morning Ms. Comegys,

I am writing to inform you we are in receipt of the Combined Environmental and Historic Report for the proposed rail line abandonment between milepost 4.8M and milepost 9.72M in Henry and Spalding counties, Georgia. After reviewing all the information made available to us, it appears that no fill would be placed in any jurisdictional waters of the US. Therefore no permit will be required for the proposed abandonment project under Section 404 of the Clean Water Act.

Warm Regards,

Chikita' M. Sanders
Regulatory Specialist
Regulatory Division, Piedmont Branch

1590 Adamson Parkway, Suite 200
Morrow, Georgia 30260-1777
678-422-6570 (office)
678-763-8977 (mobile)
678-422-2734 (fax)

Please see our Avatar website for additional information concerning the Savannah District's Regulatory Program: <http://www.sas.usace.army.mil/regulatory/index.html>.

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our web site at <http://per2.nwp.usace.army.mil/survey.html>, 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.

Classification: UNCLASSIFIED

Caveats: NONE



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS
COMMISSIONER

DR. DAVID CRASS
DIVISION DIRECTOR

November 29, 2011

Marcellus Kirchner
Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510
Attn: Kearston Comegys (Kearston.Comegys@nscorp.com)

**RE: Rail Abandonment: Greenwood Spur, between Mile Post 4.8 M and 9.72 M, Norfolk Southern
Henry and Spalding Counties, Georgia
HP-111107-003**

Dear Mr. Kirchner:

The Historic Preservation Division (HPD) has reviewed the information submitted concerning the above referenced project. Our comments are offered to assist the Surface Transportation Board (STB) and Norfolk Southern in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Based on the information provided, it is HPD's opinion that the Norfolk Southern Railroad (formerly a part of the Georgia Midland and Gulf Railroad), in addition to the trestle bridge, should be considered eligible for listing on the National Register of Historic Places (NRHP). Furthermore, it is HPD's opinion that the subject project, as proposed, will have no adverse effect to historic properties within its area of potential effects (APE), as defined in 36 CFR Part 800.5(b) provided the following condition is met:

- Trestle bridge, which is a contributing resource to the railroad, should not be removed as part of the abandonment.

Please refer to project number HP-111107-003 in any future correspondence on this project. If we may be of further assistance, please do not hesitate to contact Elizabeth Shirk, Environmental Review Coordinator, at (404) 651-6624.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Anderson-Córdova".

Karen Anderson-Córdova
Program Manager
Environmental Review and Preservation Planning

KAC:ebp

cc: Allison Duncan, Atlanta Regional Commission
Paul Jarrell, Three Rivers Regional Commission

United States Department of Agriculture



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

November 17, 2011

Kearston Comegys
Coordinator-Abandonments
Strategic Planning – Department
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510

Re: Docket No AB-290 (Sub-No. 331X), Norfolk Southern Railway Company – Abandonment
in Henry and Spalding Counties, Georgia

Dear Ms Kearston Comegys:

The Natural Resources Conservation Service has no further comments on the Norfolk Southern Railway abandonment than those provided in the response already included in the report for STB Docket No AB-290 (Sub-No. 331X).

Sincerely,

 **Acting for**
JAMES E. TILLMAN, SR.
State Conservationist

Helping People Help the Land

An Equal Opportunity Provider and Employer



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

STB Docket No. AB-290 (Sub-No. 331X)

**NORFOLK SOUTHERN RAILWAY COMPANY
– ABANDONMENT EXEMPTION –
IN HENRY AND SPALDING COUNTIES, GA**

EXEMPTION NOTICE

DRAFT NOTICE OF EXEMPTION

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 290 (Sub-No. 331X)]

Norfolk Southern Railway Company—Abandonment Exemption—In Henry, and Spalding
Counties, GA

Norfolk Southern Railway Company (NSR) has filed on December 19, 2011, a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon approximately 4.92 miles of rail line located in Henry and Spalding Counties, GA. The subject rail line extends from milepost 4.80 M (south of Meredith Park Drive near the Line’s crossing of Indian Creek in McDonough, GA) to milepost 9.72 M (just to the east of Trestle Road in Locust Grove, GA). The line traverses United States Postal Service Zip Codes 30223, 30228, 30248, and 30253.

NSR 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 because the subject line is not a “through 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 February 7, 2012, 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 _____. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 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 NSR'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.

NSR 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 _____. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC

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).

20423-0001) or by calling OEA, at (202) 245-0305. Assistance for the hearing impaired is 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, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by NSR's filing of a notice of consummation by February 7, 2013, 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.