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236324

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2401 PENNSYLVANIA AVENUE, NW  
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Office of Proceedings

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Public Record

WILLIAM A. MULLINS

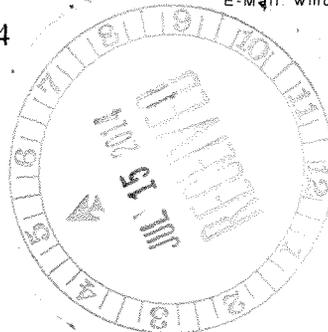
(202) 663-7823 (Direct Dial)

E-Mail: wmullins@bakerandmiller.com

July 15, 2014

**BY HAND DELIVERY**

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



Re: *Central of Georgia Railroad Company – Abandonment Exemption – In the City of Montgomery, Montgomery County, Alabama*  
STB Docket No. AB-290 (Sub-No. 278X)

*CSX Transportation, Inc. – Discontinuance of Service Exemption – In the City of Montgomery, Montgomery County, Alabama*  
STB Docket No. AB-55 (Sub-No. 728X)

Dear Ms. Brown:

Pursuant to the Board's abandonment class exemption procedures for lines with no local business for at least two years (49 C.F.R. part 1152, subpart F), enclosed are an original and 11 copies of a jointly-filed verified abandonment and discontinuance of service notice of exemption for the abandonment of a rail line owned by Central of Georgia Railroad Company ("CGA"), and the discontinuance of operations by CSX Transportation, Inc. Two checks in the amount of \$3,900.00, totaling \$7,800.00 are enclosed to cover the applicable filing fees. Please acknowledge receipt and filing of the joint notice of exemption by date stamping the enclosed eleventh copy and returning it to the courier to return to me.

Sincerely,

William A. Mullins  
Attorney for Central of Georgia  
Railroad Company

FILED  
July 15, 2014  
SURFACE  
TRANSPORTATION BOARD

FEE RECEIVED  
July 15, 2014  
SURFACE  
TRANSPORTATION BOARD

Enclosures

cc: Louis Gitomer  
Maquiling Parkerson, Marc Kirchner, LaWada Poarch

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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

---

**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

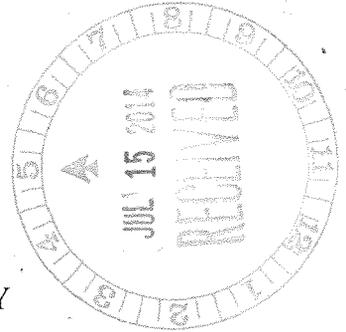
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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

---



**Louis E. Gitomer  
LAW OFFICES OF LOUIS E. GITOMER,  
LLC  
600 Baltimore Avenue, Suite 301,  
Towson, MD 21204  
Tel: (410) 296-2250**

**Attorney for CSX Transportation, Inc.**

**July 15, 2014**

**William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7823  
Fax: (202) 663-7849**

**Attorney for Central of Georgia  
Railroad Company**

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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

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**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

---

Central of Georgia Railroad Company (“CGA”), a wholly owned subsidiary of Norfolk Southern Railway Company (“NSR”), and CSX Transportation, Inc. (“CSXT”) hereby jointly submit a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F -Exempt Abandonments and Discontinuances of Service and Trackage Rights, for (1) CGA to abandon a total of 2.12 miles of CGA railroad line (hereinafter, the “Line”) extending between Milepost H 411.50 and Milepost H 413.62, all located in the City of Montgomery, Montgomery County, Alabama; and (2) CSXT to discontinue its operating rights and terminate its common carrier obligation over approximately 0.55 miles of the subject line between Milepost H 413.07 and Milepost H 413.62 (the “CSXT Line”).

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), CGA and CSXT provide the following information in support of this joint notice of abandonment and discontinuance of service:

**Certification: 49 C.F.R. § 1152.50(b)**

CGA 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 T.L. Reynolds, General Manager Western Region, Norfolk Southern Railway Company (Exhibit A). Similarly, CSXT also certifies that the CSXT Line satisfies the criteria for its discontinuance of common carrier service under the class exemption procedures. See Certification of William Scaggs, Manager of Cost and Economic Analysis, CSXT (Exhibit A).

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

The proposed abandonment and discontinuance of service will both be consummated no sooner than September 3, 2014 (50 days after the filing of this joint notice of exemption).

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

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

Central of Georgia Railroad Company

CSX Transportation, Inc.

Whether applicants are common carriers by railroad (49 C.F.R. § 1152.22(a)(2)):

CGA and CSXT are common carriers 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)):

CSXT currently has operating rights over the CSXT Line. CSXT has determined that, in light of the absence of traffic on the CSXT Line, it would prefer to terminate its operating rights and

be relieved of its common carrier obligation over the CSXT Line. CSXT has notified CGA of its decision, and has chosen to invoke the discontinuance of service class exemption procedures to be relieved of its common carrier obligation over the CSXT Line. CGA, as owner of the Line, concurs in CSXT's decision to discontinue its operating rights and terminate its common carrier obligation over the Line. Likewise, because of the Line's long-standing inactivity, CGA has elected concurrently with CSXT's discontinuance to invoke the Board's class exemption procedures to abandon the Line, rather than to assume primary responsibility to provide common carrier service over it following CSXT's proposed discontinuance.

Pursuant to this joint notice of exemption, CGA seeks to abandon a total of approximately 2.12 miles of CGA rail line extending between Milepost H 411.50 and Milepost H 413.62, all located in the City of Montgomery, Montgomery County, Alabama. Also pursuant to this joint notice of exemption, CSXT, as discussed above, seeks to discontinue its rail common carrier obligation over approximately 0.55 miles of the CSXT Line between Milepost H 413.07 and Milepost H 413.62.

Map (49 C.F.R. § 1152.22(a)(4)):

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

Applicants' representatives (49 C.F.R. § 1152.22(a)(7)):

The representative of CGA to whom correspondence regarding these proceedings should be sent is as follows:

William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20037  
Tel: (202) 663-7823  
Fax: (202) 663-7849

The representative of CSXT to whom correspondence regarding these proceedings should be sent is as follows:

Louis E. Gitomer  
LAW OFFICES OF LOUIS E. GITOMER, LLC  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
Tel: (410) 296-2250  
E-mail at Lou@lgraillaw.com

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

The Line traverses portions of the following United States Postal Zip Codes: 36104 and 36107.

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

CGA, as owner of the subject Line, has no opinion as to whether or not the Line and the underlying right-of-way would be suited for other public purposes. Based upon information and belief, CGA believes that it may not have fee title to some portions of the Line, which could affect future public use plans in the event that abandonment is consummated. Further, CGA is unaware of any plans targeting any or all of the subject right-of-way for public purposes. The Line does not contain federally-granted rights-of-way. As appropriate, CGA and CSXT are willing promptly to make available any information in their possession to anyone so requesting it.

**Labor Protection**

The interests of any railroad employees who may be adversely affected by the proposed abandonment and discontinuance will be adequately protected by the labor protective conditions 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 compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. §

1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports applicable to rail line abandonments as set forth at 49 C.F.R. § 1105.11.

**Environmental and Historic Report**

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (Exhibit D), CGA has prepared a combined Environmental and Historic Report (“E&HR”) in anticipation of the proposed abandonment of the Line, which conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8.

A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,



William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20037  
Tel: (202) 663-7823  
Fax: (202) 663-7849

Attorney for Central of Georgia Railroad Company



Louis E. Gitomer  
LAW OFFICES OF LOUIS E. GITOMER, LLC  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
Tel: (410) 296-2250

Attorney for CSX Transportation, Inc.

July 15, 2014

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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

---

**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**STB Docket No. AB-55 (Sub-No. 728X)**

---

**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**VERIFICATIONS**

Verification

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

Executed this seventeenth day of June 2014



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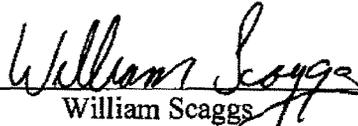
John H. Friedmann  
Vice President

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS  
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA                    )  
  )  
COUNTY OF DUVAL                 )            ss.

I, William Scaggs state that I am Manager of Cost and Economic Analysis for CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated, to the best of my knowledge, information, and belief.

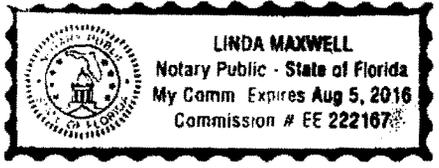
I hereby certify that CSXT has moved no freight traffic over the 0.55 mile line of railroad between milepost H 413.07 and milepost H 413.62 located in the City of Montgomery, Montgomery County, AL, owned by Central of Georgia Railroad Company ("CGA") and operated over by CSXT pursuant to operating rights granted by CGA's, for two years prior to the date hereof, and that any overhead freight traffic on the line can be rerouted over other lines. Further, 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 with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

  
William Scaggs

SUBSCRIBED AND SWORN TO before me this 15 day of July 2014.

My Commission Expires: 8/16

  
Notary Public



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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

---

**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**EXHIBIT A**

**CGA AND CSXT CERTIFICATIONS**

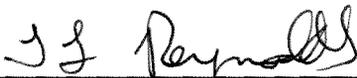
**CERTIFICATION**

STATE OF GEORGIA:

ss:

CITY OF ATLANTA:

T. L. Reynolds makes oath and says that he is General Manager Western Region for Norfolk Southern Railway Company; that the rail line between Milepost H 411.50 and Milepost H 413.62, over which service is to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.

  
\_\_\_\_\_  
T. L. Reynolds

Subscribed and sworn to before me  
this 13<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
Notary Public

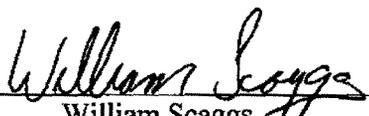
My commission expires: **SANDRA Y. GAMBRELL  
NOTARY PUBLIC  
COBB COUNTY, GEORGIA  
MY COMMISSION EXPIRES APRIL 20, 2015**  
4/20/15

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS  
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA                    )  
  )  
COUNTY OF DUVAL                 )        ss.

I, William Scaggs state that I am Manager of Cost and Economic Analysis for CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that CSXT has moved no freight traffic over the 0.55 mile line of railroad between milepost H 413.07 and milepost H 413.62 located in the City of Montgomery, Montgomery County, AL, owned by Central of Georgia Railroad Company ("CGA") and operated over by CSXT pursuant to operating rights granted by CGA's, for two years prior to the date hereof, and that any overhead freight traffic on the line can be rerouted over other lines. Further, 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 with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of CSXT by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

  
William Scaggs

SUBSCRIBED AND SWORN TO before me this 15 day of July 2014.

My Commission Expires: 8/16

  
Notary Public



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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

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**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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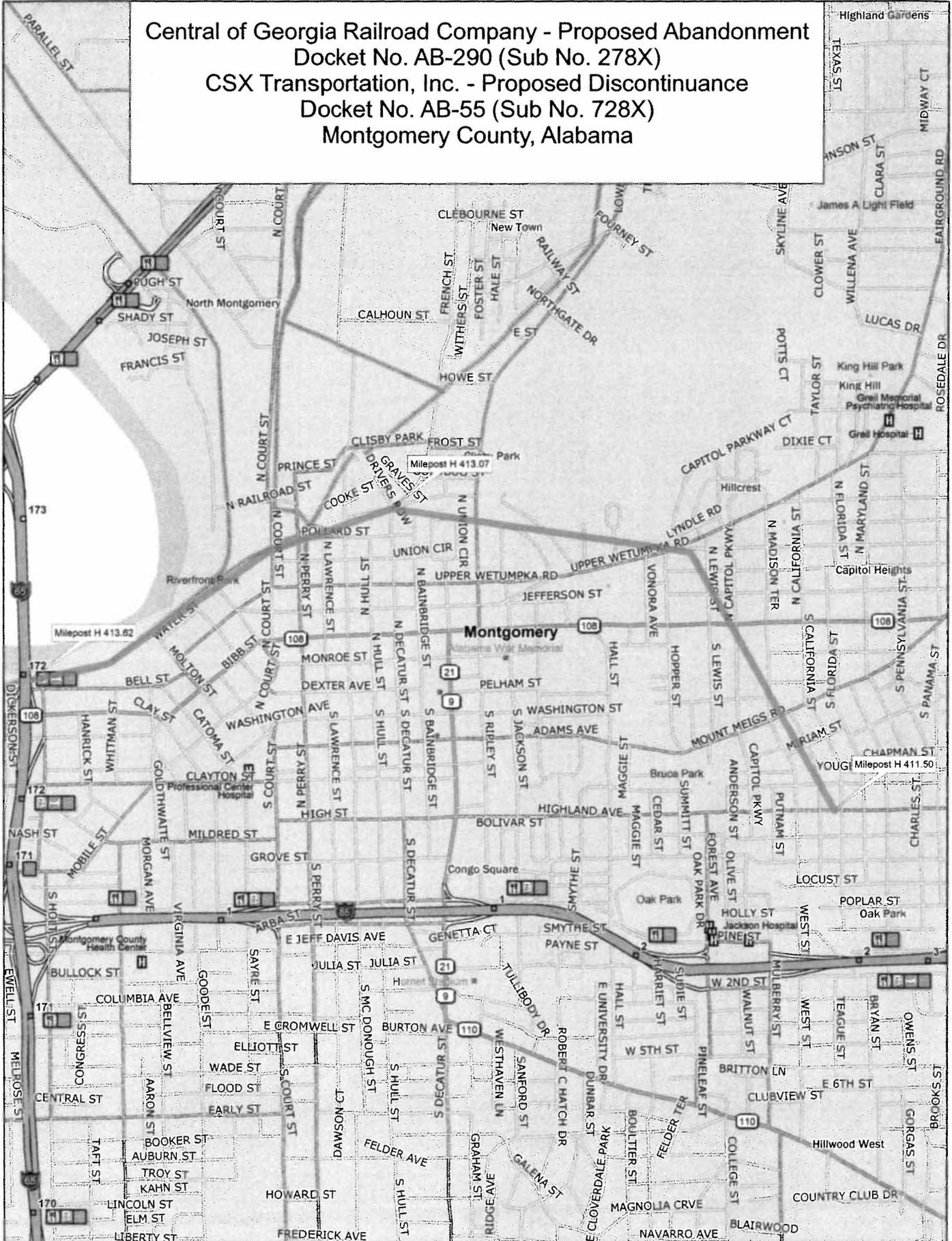
**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**EXHIBIT B**

**MAP**

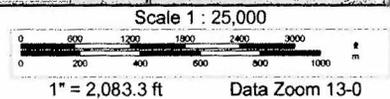
Central of Georgia Railroad Company - Proposed Abandonment  
 Docket No. AB-290 (Sub No. 278X)  
 CSX Transportation, Inc. - Proposed Discontinuance  
 Docket No. AB-55 (Sub No. 728X)  
 Montgomery County, Alabama



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

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**STB Docket No. AB-290 (Sub-No. 278X)**

---

**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**EXHIBIT C**

**CERTIFICATES OF  
SERVICE/PUBLICATION**

**Certificate of Service of Advance Notice**

**49 C.F.R. § 1152.50(d)(1) – Notice**

I certify that, on July 2, 2014, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Central of Georgia Railroad Company (“CGA”) and CSX Transportation, Inc. (“CSXT”) to invoke the Board’s notice of exemption procedures for CGA to abandon 2.12 miles of CGA rail line (hereinafter, the “Line”) extending between Milepost H 411.50 and Milepost H 413.62, all located in the City of Montgomery, Montgomery County, Alabama, and for CSXT to discontinue common carrier operations over approximately 0.55 miles of the subject line between Milepost H 413.07 and Milepost H 413.62.

**Public Service Commission**

Britt Roberts  
Director  
Public Service Commission of Alabama  
Transportation Division  
P.O. Box 304260  
Montgomery, AL 36130

**Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)**

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

**The National Park Service, Recreation Resources Assistance Division**

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

**U.S. Department of Agriculture, Chief of the Forest Service**

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

July 15, 2014



William A. Mullins  
Attorney for Norfolk Southern  
Railway Company

**Certificate of Newspaper Publication**

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

I certify that a “Joint Notice of Intent to Discontinue Rail Service and to Abandon Line of Railroad” was published in the form prescribed by the Board for abandonment and discontinuance notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on July 3, 2014, in the *Montgomery Advertiser*, a newspaper of general circulation in the City of Montgomery, Montgomery County, Alabama.

July 15, 2014

  
William A. Mullins  
Attorney for Norfolk Southern  
Railway Company

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

---

**STB Docket No. AB-290 (Sub-No. 278X)**

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**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

---

**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**EXHIBIT D**

**CERTIFICATE 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. 278X) and Docket No. AB-55 (Sub-No. 728X) was mailed via first class mail on May 14, 2014 to the following parties:

Mr. Lance R. LeFleur, Director  
Alabama Department of Environmental  
Management  
P.O. Box 301463  
Montgomery, AL 36130-1463

Mr. Heinz Mueller, Chief  
U.S. EPA – Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street SW  
Atlanta, GA 30303-8960

Mr. Philip Hinesley, Chief  
Alabama Department of Conservation and  
Natural Resources  
Lands Division – Coastal Section  
31115 Five Rivers Boulevard  
Spanish Fort, AL 36527

Dr. William Plunkett  
Natural Resources Conservation Service  
USDA  
P.O. Box 311  
Auburn, AL 36831-0311

U.S. Fish and Wildlife Services  
Alabama Ecological Services Field Office  
Southeast Region 4  
1208 B Main Street  
Daphne, AL 36526-4419

Mr. Brian Zettle, Biologist  
USACE Mobile District  
Planning and Environmental Division  
P.O. Box 2288  
Mobile, AL 36628

Mayor Todd Strange  
Office of the Mayor  
103 North Perry Street  
Montgomery, Alabama 36104

Mr. Elton N. Dean, Sr., District 2 Commissioner  
Montgomery County Administration  
101 S. Lawrence Street  
Montgomery, AL 36104

Alabama Department of Transportation  
Highway Department  
P.O. Box 303050  
Montgomery, AL 36130-3050

Mr. Frank White, Historic Preservation Officer  
Alabama Historical Commission  
468 South Perry Street  
Montgomery, AL 36104

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

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

USEPA  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Mail Code 1101-A  
Washington, D.C. 20004



Marcellus C. Kirchner  
May 14, 2014

**ATTACHMENT 1**  
**ENVIRONMENTAL AND HISTORIC REPORT**  
**INCLUDING SAMPLE TRANSMITTAL LETTER**



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

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

May 14, 2014

RE: STB Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company  
- Abandonment- in Montgomery County, Alabama

STB Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc. – Discontinuance of  
Operating Rights – in Montgomery County, Alabama

Dear Sir/Madam:

Central of Georgia Railroad Company (CGA), a wholly-owned subsidiary of Norfolk Southern Railway Company (NSR), and CSX Transportation, Inc. (CSXT) plan to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost H 411.50 and Milepost H 413.62 in Montgomery County, Alabama.

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

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Kirchner', with a long horizontal flourish extending to the right.

Marcellus C. Kirchner  
Director Strategic Planning  
Norfolk Southern Railway Company

Attachment

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

---

**STB DOCKET NO. AB-290 (Sub-No. 278X)  
CENTRAL OF GEORGIA RAILROAD COMPANY**

**PROPOSED RAIL LINE ABANDONMENT  
BETWEEN MILEPOST H 411.50 AND MILEPOST H 413.62  
IN MONTGOMERY COUNTY, ALABAMA**

**AND**

**STB DOCKET NO. AB-55 (Sub-No. 728X)  
CSX TRANSPORTATION, INC.**

**PROPOSED RAIL LINE DISCONTINUANCE OF OPERATING RIGHTS  
BETWEEN MILEPOST H 413.07 AND MILEPOST H 413.62  
IN MONTGOMERY COUNTY, ALABAMA**

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**Combined Environmental and Historic Report**

Central of Georgia Railroad Company (CGA), a wholly-owned subsidiary of Norfolk Southern Railway Company (NSR), and CSX Transportation, Inc. (CSXT) submit this Combined Environmental and Historic Report (EHR) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with the proposed abandonment of 2.12 miles of CGA rail line between Milepost H 411.50 and Milepost H 413.62 and the proposed discontinuance of CSXT's operating rights between Milepost H 413.07 and Milepost H 413.62, in the City of Montgomery, Montgomery County, Alabama.

**May 14, 2014**

## **ENVIRONMENTAL REPORT**

### **49 CFR 1105.7(e)(1)**

#### **Proposed Action and Alternatives**

*Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.*

RESPONSE: CGA proposes to abandon 2.12 miles of rail line between Mileposts H 411.50 and H 413.62 and CSXT proposes to discontinue its operating rights over 0.55 miles of the subject rail line between Mileposts H 413.07 and H 413.62 in the City of Montgomery, Montgomery County, Alabama. There are no customers served on the subject line segment. The line has been out of service for over two years.

Following abandonment, the line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, CGA believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be disposed of in accordance with applicable federal and

state laws and regulations. There are three bridges on the line segment, which will be removed.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory. The railroads would incur opportunity and other holding costs that would need to be covered by non-existent on-line shippers were the line segment to be retained.

A map depicting the line proposed for abandonment and discontinuance of operating rights is attached as **Appendix A**. An example of the railroads' letter to federal, state and local government agencies along with a list of the consulting agencies contacted by the railroads is attached as **Appendix B**. Comments received as a result of the railroads' written requests for feedback can be found in **Appendix C**.

#### **49 CFR 1105.7(e)(2) Transportation system.**

*Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.*

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There is no rail freight or passenger traffic on the line segment proposed for abandonment and discontinuance of operating rights.

#### **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 Montgomery and the Montgomery County Commissioner, which were asked to

comment on the consistency of the proposed abandonment and discontinuance of operating rights with existing land use plans. A copy of the letter received from the City of Montgomery expressing support for the proposed abandonment and discontinuance of operating rights is attached as part of **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 (USDA NRCS), which has indicated this project does not contain prime farmland. A copy of the USDA NRCS response is attached as part of **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 State Coastal Zone Management Program Manager, but CGA has not received a response to date. CGA has no reason to believe that, the proposed abandonment would be inconsistent with the coastal zone management plan as the subject line is not within a coastal zone.

*(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 has fee and easement title to the right-of-way underlying the proposed abandonment; therefore, may be suitable for alternative public use.

#### **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 and discontinuance of operating rights.

*(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 and discontinuance of operating rights. There is no rail freight or passenger traffic originating or terminating on the line segment proposed for abandonment and discontinuance of operating rights.

*(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 any material impact in overall energy efficiency.

*(iv) If the proposed action will cause diversions from rail to motor carriage of more than:  
(A) 1,000 rail carloads a year; or  
(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.*

RESPONSE: The diversion of traffic to motor carriers will not exceed the thresholds set forth at 49 CFR §1105.7(e)(4) as no diversions will occur. Accordingly, there is no need to produce data on diverted traffic or to quantify the net change in energy consumption.

**49 CFR 1105.7(e)(5) Air.**

*(i) If the proposed action will result in either:  
(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or  
(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or  
(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.*

RESPONSE: The above thresholds will not be exceeded.

*(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:*

*(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line,*

*(B) An increase in rail yard activity of at least 20 percent (measured by carload activity),  
or*

*(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.*

RESPONSE: The above thresholds will not be exceeded. For the record, however, Montgomery County, Alabama is in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the U.S. Environmental Protection Agency.

*(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 and discontinuance of operating rights of the subject rail line segment will have no adverse impact on public health and 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 railroads have no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in adjacent areas.

#### **49 CFR 1105.7(e)(8) Biological Resources.**

*(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.*

RESPONSE: The railroads understand that no federally-listed endangered species or their habitats will be adversely affected. The railroads have requested input from the U.S. Fish and Wildlife Service (USFWS) to ascertain any impacts to surrounding habitats and species. USFWS has advised that the project will have no significant impact on fish and wildlife resources. A copy of the USFWS response letter is attached as part of **Appendix C**.

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

RESPONSE: The line segment proposed for abandonment and discontinuance of operating rights does not appear to 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: The railroads do not intend to remove or alter the contour of the roadbed underlying the rail line by way of excavation or other ground-disturbance activity.

Accordingly, no soils will be disturbed as a result of the proposed abandonment and discontinuance of operating rights, and no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit - will be required.

There are three bridges on the line segment, which will be removed. There are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment and discontinuance of operating rights, so, for this reason also, the proposed abandonment and discontinuance of operating rights will not result in water quality impacts. Consultation has been requested from the Alabama Department of Conservation and Natural Resources, the Alabama Department of Environmental Management, and from the regional Environmental Protection Agency office.

*(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. Consultation was requested from the US Army Corps of Engineers, which confirmed that no permit will be required for the project. A copy of the USACE stamped response is attached as part of **Appendix C**.

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

RESPONSE: The railroads do not plan to remove or alter the roadbed underlying the line to be abandoned and discontinued operating rights, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit - will be required. The railroads anticipate that the abandonment and discontinuance of operating rights will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, CGA has requested input from the regional Environmental Protection Agency and the Alabama Department of Conservation and 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 and discontinuance of operating rights of the involved rail line is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment and discontinuance of operating rights, such as removal of rail, ties, and other railroad appurtenances. The railroads will undertake all reasonable mitigation

associated with these activities as directed by the Board to assure the abandonment does not produce adverse environmental impacts.

## **HISTORIC REPORT**

### **49 CFR 1105.8(d)**

#### **PROPOSED ACTION AND ALTERNATIVES**

CGA proposes to abandon 2.12 miles of rail line between Mileposts H 411.50 and H 413.62 and CSXT proposes to discontinue operating rights over 0.55 miles of the subject rail line between Mileposts H 413.07 and H 413.62 in the City of Montgomery, Montgomery County, Alabama. There are no customers served on the subject line segment. The line has been out of service for over two years.

Following abandonment, the line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, CGA believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be disposed of in accordance with applicable federal and state laws and regulations. There are three bridges on the line segment, which will be removed.

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

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

A map depicting the line proposed for abandonment and discontinuance of operating rights is attached as **Appendix A**.

### **ADDITIONAL INFORMATION**

(1) **U.S.G.S. Topographic Map**-- Maps were furnished to the Alabama Historical Commission.

(2) **Written Description of Right of Way** -- The right-of-way width ranges from 50 feet to 100 feet along the main track centerline. Pursuant to Surface Transportation Board (STB) policy, the railroads' right-of-way will constitute the Area of Potential Effect (APE) for this undertaking.

(3) **Photographs** – Photographs are attached of the three bridge structures.

(4) **Date of Construction of Structures** – The 8.7 foot-long timber open deck bridge at Milepost H 411.7 has one span and was constructed in 1926.

The 17 foot-long timber open deck bridge at Milepost H 412.4 has two spans and was constructed in 1926.

The 31.3 foot-long timber open deck bridge at Milepost 412.7 has two spans and was constructed in 1909.

(5) **History of Operations and Changes Contemplated** - The line that is the subject of the proposed abandonment consists of 2.12 miles of rail line between Mileposts H 411.5 and H 413.62 located in the City of Montgomery, Montgomery County, Alabama. The construction of the rail line between Montgomery, AL and Eufaula, AL was begun by the Montgomery and Eufaula Railroad and was completed in 1870. In 1879, The

Montgomery and Eufaula Railroad was acquired by the Central Railroad and Banking Company, which was reorganized in 1895 as the Central of Georgia Railway. In 1963, The Central of Georgia Railway was acquired by Southern Railway Company, which in 1971 combined it with two other subsidiaries to form the Central of Georgia Railroad Company (CGA). In 1982, Southern Railway Company and Norfolk and Western Railway Company were placed under the common control of Norfolk Southern Corporation. In 1985, the CGA segment between Montgomery and Union Springs, AL was abandoned. In 1989, the segment between Union Springs and Eufaula, AL also was abandoned.

**(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 structures 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** – There are three structures within the APE for this project. CGA believes that neither the structures on the line nor the line itself meet the criteria for listing in the *National Register of Historic Places*. The railroads have no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment and discontinuance of operating rights in the course of track salvage.

**(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery** – The railroads are not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover,

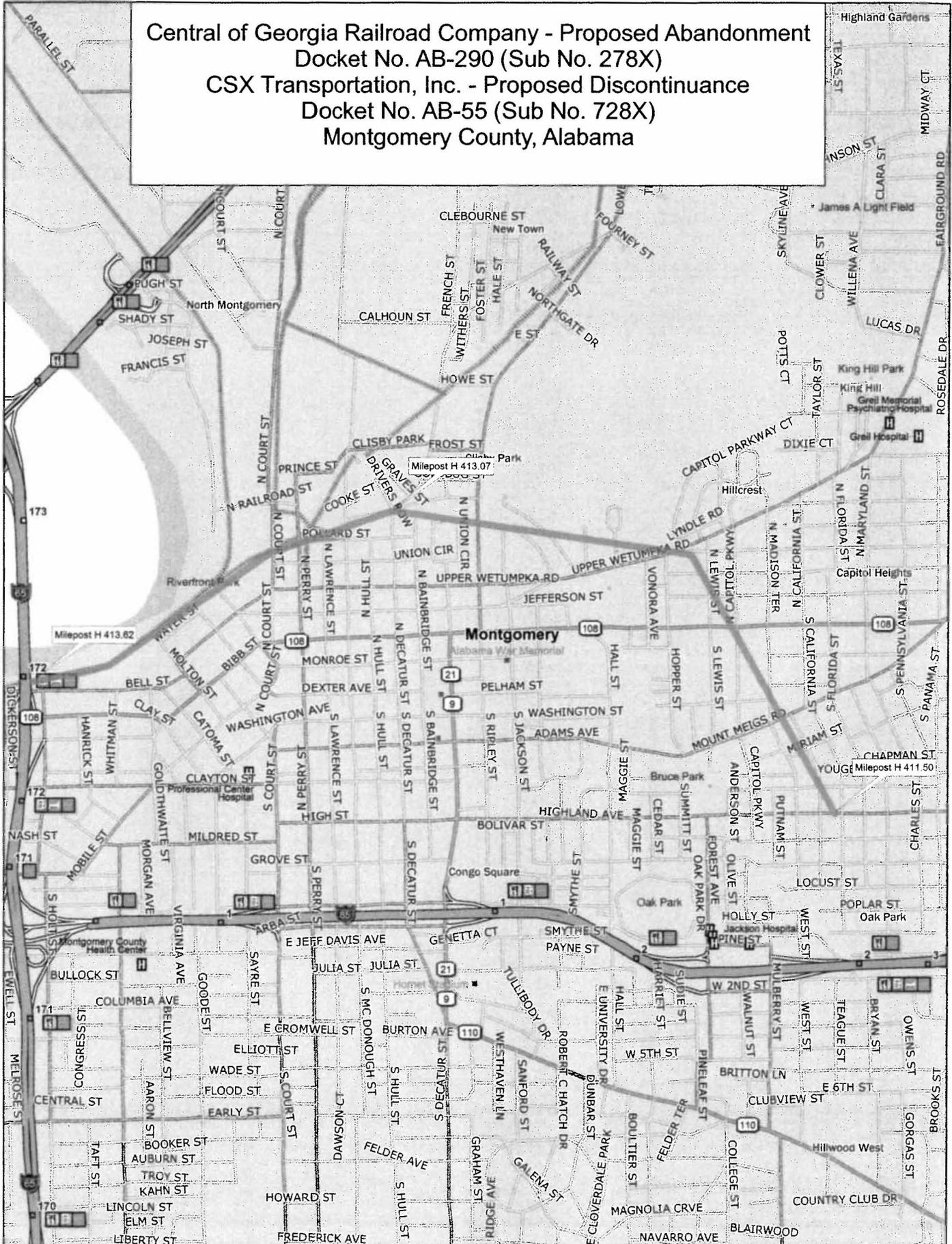
abandonment of the line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad line by grading and filling. Abandonment and salvage of the line will not result in activities 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**

Central of Georgia Railroad Company - Proposed Abandonment  
 Docket No. AB-290 (Sub No. 278X)  
 CSX Transportation, Inc. - Proposed Discontinuance  
 Docket No. AB-55 (Sub No. 728X)  
 Montgomery County, Alabama



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Scale 1 : 25,000



1" = 2,083.3 ft Data Zoom 13-0

# **APPENDIX B**

## **Agency Letters**



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

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

May 14, 2014

RE: STB Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company  
- Abandonment- in Montgomery County, Alabama

STB Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc. – Discontinuance of  
Operating Rights – in Montgomery County, Alabama

Dear Sir/Madam:

Central of Georgia Railroad Company (CGA), a wholly-owned subsidiary of Norfolk Southern Railway Company (NSR), and CSX Transportation, Inc. (CSXT) plan to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost H 411.50 and Milepost H 413.62 in Montgomery County, Alabama.

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

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

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

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

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

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

LaWada Poarch  
Abandonments Coordinator  
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', written in a cursive style.

Marcellus C. Kirchner  
Director Strategic Planning  
Norfolk Southern Railway Company

Attachment

## RECIPIENT LIST

Proposed Rail Line Abandonment on the segment of rail line between MP H 411.5 and MP H 413.07, and between MP H 413.07 and MP H 413.62 in Montgomery, Alabama, a distance of 2.12 miles.

### STATE ENVIRONMENTAL PROTECTION AGENCY

Mr. Lance R. LeFleur, Director  
Alabama Department of Environmental Management  
P.O. Box 301463  
Montgomery, AL 36130

### CITY

Mayor Todd Strange  
Office of the Mayor  
103 North Perry Street  
Montgomery, Alabama 36104

### REGIONAL ENVIRONMENTAL PROTECTION AGENCY

Mr. Heinz J. Mueller, Chief  
U.S. EPA – Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street SW  
Mail Code: 9T25  
Atlanta, GA 30303

### COUNTY

Mr. Elton N. Dean, Sr., District 2 Commissioner  
Montgomery County Administration  
101 S. Lawrence Street  
Montgomery, AL 36104

### STATE COASTAL ZONE MANAGEMENT

Mr. Philip Hinesley, Chief  
Alabama Department of Conservation and Natural Resources  
Lands Division – Coastal Section  
31115 Five Rivers Boulevard  
Spanish Fort, AL 36527

### STATE CLEARINGHOUSE (DOT)

Alabama Department of Transportation  
Highway Department  
P.O. Box 303050  
Montgomery, AL 36130

### NATURAL RESOURCES CONSERVATION SERVICE

Dr. William Puckett, State Conservationist  
Natural Resources Conservation Service  
U.S. Department of Agriculture  
P.O. Box 311  
Auburn, AL 36831

### STATE HISTORIC PRESERVATION OFFICE

Mr. Frank White, State Historic Preservation Officer  
Alabama Historical Commission  
468 South Perry Street  
Montgomery, AL 36104

### FISH AND WILDLIFE SERVICES

U.S. Fish and Wildlife Services  
Alabama Ecological Services Field Office  
Southeast Region 4  
1208 B Main Street  
Daphne, AL 36526

### NATIONAL PARK SERVICE

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

### US ARMY CORPS OF ENGINEERS

Mr. Brian Zettle, Biologist  
USACE Mobile District  
Planning and Environmental Division  
P.O. Box 2288  
Mobile, AL 36628

### NATIONAL GEODETIC SURVEY

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

### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

USEPA  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Mail Code 1101-A  
Washington, D.C. 20004

# **Appendix C**

## **Agency Responses**

**Poarch, Lawada G.**

---

**From:** Walls, Beth <Walls.Beth@epa.gov>  
**Sent:** Tuesday, June 03, 2014 9:16 AM  
**To:** Lawada.Poarch@nscorp.com  
**Cc:** Walls, Beth  
**Subject:** STB Dkt #s AB-290 & AB-55

Dear Ms. Poarch

Thank you for the copy of the combined environmental and historic report describing the proposed abandonment of a rail-line segment.

Due to schedule and work load constraints, I was unable to meet your three-week deadline.

I understand that no adverse environmental impacts are anticipated by the proposed abandonment.

As long as applicable EPA-delegated state environmental laws are complied with, I don't see my inability to review within your 3-week review time being sufficient reason to delay this report/project.

Sincerely,

Beth Walls,  
Environmental Scientist  
US EPA, Region 4  
404-562-8309



STATE OF ALABAMA  
ALABAMA HISTORICAL COMMISSION  
468 SOUTH PERRY STREET  
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE  
EXECUTIVE DIRECTOR

May 30, 2014

TEL: 334-242-3184  
FAX: 334-240-3477

LaWada Poarch  
Abandonments Coordinator  
Norfolk Southern Corporation  
Strategic Planning Dept.  
Three Commercial Place  
Norfolk, VA 23510

Re: AHC 14-1008  
Abandonment a segment of rail line between milepost H 411.50 and H 413.62  
Montgomery County

Dear Ms. Poarch:

Upon review of the above referenced project, we have determined that project activities will have no effect on any cultural resources listed on or eligible for the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. **This stipulation shall be placed on the construction plans to insure contractors are aware of it.**

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda McBride at 334-230-2692 or [Amanda.McBride@preserveala.org](mailto:Amanda.McBride@preserveala.org). Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lee Anne Wofford".

Lee Anne Wofford  
Deputy State Historic Preservation Officer

LAW/AMH/amh

**Poarch, Lawada G.**

---

**From:** Walls, Beth <Walls.Beth@epa.gov>  
**Sent:** Tuesday, April 01, 2014 1:14 PM  
**To:** Lawada.Poarch@nscorp.com  
**Cc:** Walls, Beth  
**Subject:** FW: Dockets No. AB-290 & AB-55 (Sub No. 278X), Central of Georgia Railroad Company – Abandonment and CSX Transportation, Inc. – Discontinuance of Operating Rights - in Montgomery, AL

Dear Ms. Poarch:

I am responding on behalf of Heinz Mueller (addressee) regarding Mr. Marcellus Kirchner's February 19, 2014, letter to US. EPA, Region 4, requesting EPA's review and input of Central of Georgia Railroad Company's proposed 2.12 mile rail-line abandonment project and CSX Transportation, Inc.'s Discontinuance of Operating Rights over 0.55 mile portion of rail line in the City of Montgomery, Alabama. Mr. Kirchner requested EPA direct our response to you.

Since there is no environmental assessment or impact study provided with this letter, I am uncertain how EPA may be of assistance. In response for advice regarding the applicability of any Clean Water Action Section 402 permit requirements, I refer you to the Alabama Department of Environmental Management, the EPA-delegated entity for the CWA 402 permit program. The information you need can be obtained at ADEM's web site, see: <http://www.adem.state.al.us/programs/water/permitting.cnt>

Sincerely,

Beth Walls  
Environmental Scientist  
US EPA Region 4  
404-562-8309



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

James  
Pine App

SAM-2014-00230-JLC

**Marcellus C. Kirchner**  
Director Strategic Planning  
(757) 629-2679  
(757) 823-5807 FAX

February 19, 2014

Mr. Brian Zettle, Biologist  
United States Army Corps of Engineers  
Mobile District, Planning and Environmental Division  
P.O. Box 2288  
Mobile, AL 36628

RE: Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company -  
Abandonment – in Montgomery County, Alabama

Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc. – Discontinuance of  
Operating Rights – in Montgomery County, Alabama

Dear Mr. Zettle:

Central of Georgia Railroad Company, a wholly-owned subsidiary of Norfolk Southern Railway Company, is considering the abandonment of 2.12 miles of its rail line between Mileposts H 411.50 and H 413.62, and CSX Transportation, Inc. is considering the discontinuance of its operating rights over the 0.55 mile portion of the rail line between Mileposts H 413.07 and H 413.62, in the City of Montgomery, Montgomery County, Alabama. A map is included depicting the area under consideration.

During the removal of track and materials, if any, the railroads do not anticipate the use of any new access roads, the need to conduct dredging, or the use of fill. Only existing public and private access roads and the right of way should be needed to facilitate operations. In addition, the underlying roadbed will not be disturbed. There are three bridges on the line. During the removal of track and materials the bridges may be removed; however, any debris or other material will be removed from the area, preventing any of the material from entering waterways. The railroads will also take all measures to prevent and/or control the occurrence of spills or of any pollutants from entering surrounding waterways.

Should the rail segment be abandoned, the approval of the Surface Transportation Board is required. In addition, Federal Regulation 49 C.F.R. 1105.7 (9ii) requires the railroads to address the following statement:

- (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 plans will be affected. Describe any effects."

FEB 24 2014

Operating Subsidiary Norfolk Southern Railway Company

FEB 28 2014

The railroads believe that our actions will have no impact to designated wetlands or 100 year flood plains; however, we would appreciate your review and input. In addition, please advise based on the above information if a permit under Section 404 of the Clean Water Act (33 U.S.C 1344) is required and the individual to be contacted in such case. Please direct your responses and questions to LaWada Poarch at:

LaWada Poarch, Abandonments Coordinator  
Norfolk Southern Corporation  
Strategic Planning – 12<sup>th</sup> Floor  
3 Commercial Place  
Norfolk, VA 23510  
(757) 629-2803  
[Lawada.Poarch@nscorp.com](mailto:Lawada.Poarch@nscorp.com)

Very truly yours,

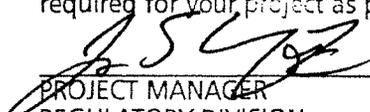


Marcellus C. Kirchner  
Director Strategic Planning  
Central of Georgia Railroad Company

Attachment

U.S. Army Corps of Engineers

A Department of the Army permit will not be required for your project as proposed.

  
PROJECT MANAGER  
REGULATORY DIVISION

3/19/2014  
DATE



City of **Montgomery**, Alabama

OFFICE OF THE MAYOR  
Todd Strange, Mayor

Post Office Box 1111  
Montgomery, Alabama  
36101-1111

PH 334.625.2000  
FX 334.625.2600

March 10, 2014

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

**RE: City of Montgomery, Alabama Response to Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company - Abandonment - in Montgomery County, Alabama**

**City of Montgomery, Alabama Response to Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc. - Discontinuance of Operating Rights - in Montgomery County, Alabama**

Dear Mrs. Poarch:

Thank you for your request for consultation on the abandonment and discontinuance of operating rights of the unused rail line between Milepost H 413.62 and H 411.50. City of Montgomery and the Montgomery Metropolitan Planning Organization (MPO) long range plans were reviewed for consistency with existing land use plans. The findings are detailed in the following two sections.

Comments Regarding the Abandonment and Discontinuance of Operating Rights  
Milepost H 413.62 to Milepost H 411.50

The proposed abandonment of the rail line between Milepost H 413.62 to H 411.50 is consistent with multiple long range neighborhood land use plans adopted by the City of Montgomery. *The Capitol Heights Neighborhood Plan* (page 38), *the Centennial Hill Neighborhood Plan* (page 38) and *The Plan for Oak Park & Centennial Hill* (pages 4.13, 5.3, and 5.4) are posted on the city website (<http://montgomeryal.gov>) under the Long Range Planning Division of the Planning Department. These plans were adopted in 2007, 2008 and 2011 respectively. A copy of each plan is attached for your information to demonstrate that the proposed abandonment and discontinuance of operating rights are consistent with each plan.

In addition, the proposed action to abandon this section of rail line is consistent with long range plans adopted by the Montgomery Metropolitan Planning Organization (MPO), the regional planning authority for federal transportation planning and programming. The *Montgomery MPO Year 2035 Long Range Transportation Plan* adopted in July of 2010 details on pages 5-43 to 5-44 a proposed rails-to-trail facility. The *Montgomery MPO*

*2012 Bicycle and Pedestrian Plan* also details the proposed rails-to-trail project with additional discussion of the planned project indicating its high priority. Section 5.2 page 32 details the project, and figure 5.2 on page 34 illustrates the location along with other planned (high priority) and existing multi-modal facilities. Figure 5.2 is included as an attachment to this letter. Lastly, a proposed high speed intercity passenger rail project was proposed in the *Montgomery MPO Year 2035 Long Range Plan* adopted in July of 2010, with an ongoing feasibility study that would potentially use the section of proposed abandonment/discontinuance of operating rights from mile post 413.62 to the Montgomery Union Station Train-shed. See attached figure 5.24 on page 5-57 and write-up on page 5-42.

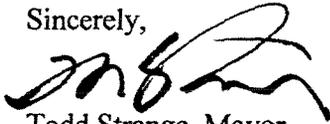
For the past 8 years, the City of Montgomery Planning Department has been working to secure this section through research and correspondence with Norfolk Southern and CSX. The topography of this section occurs primarily below grade in the unused rail-bed with portions at grade. The City of Montgomery is in full support of this abandonment and discontinuance of operating rights from mileposts H 413.62-H 411.50.

Thank you for your efforts to coordinate and complete the consultation process. I look forward to further discussion in the future.

If you have any questions please feel free to give Robert Smith, Director of Planning a call at (334) 625-2218.

See attached long range plans that are consistent with your proposed abandonment and discontinuance of operating rights.

Sincerely,



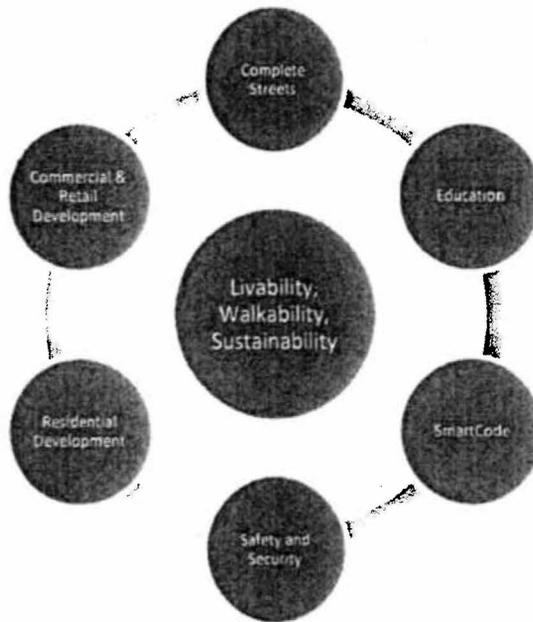
Todd Strange, Mayor  
City of Montgomery, AL

cc: Anita L. Archie, Chief of Staff, City of Montgomery  
Kim Fehl, City Attorney, City of Montgomery  
Robert Smith, Director of Planning, City of Montgomery  
Chris Conway, Director of Public Works, City of Montgomery  
Patrick Dunson, City Engineering Director, City of Montgomery  
Bubba Bowden, City Traffic Engineering Director, City of Montgomery

**Long Range Plans for Rails-to-Trail and Potential Passenger Rail  
Conversion of Proposed CGRC/NSC-CSX Rail Abandonment and  
Discontinuance of Operating Rights in Montgomery, Alabama**

# FINAL

## Montgomery Metropolitan Planning Organization (MPO) 2012 Bicycle and Pedestrian Plan



July 2012  
Prepared by Montgomery MPO Transportation Planning Staff



## CHAPTER 5 CURRENT, PLANNED, AND PROPOSED BICYCLIST ROUTES AND FACILITY

The goal of the *Montgomery Metropolitan Planning Organization (MPO) 2012 Bicycle and Pedestrian Plan* is to incorporate existing and planned bicycle facilities into a bicycle transportation network that connects where people live and work to the various attractors in their community. Currently, the River Region has two road segments with bicycle lanes, one roadway segment with shared lane markings, three shared-use paths, and multiple roadways with share the road signage. In addition, the Montgomery area has multiple other paths, including shared-use paths on the Auburn University of Montgomery Campus. While these facilities were not included in the inventory for the *Montgomery Study Area Bicycle and Pedestrian Plan*, when feasible, they will be incorporated into the River Region Bicycle Network. Additionally, multiple roadways qualify as bicycle facilities but are not designated as such. The *Montgomery Metropolitan Planning Organization (MPO) 2012 Bicycle and Pedestrian Plan* will designate these existing roadways as bicycle facilities as detailed in the proposed routes. In the next five years, the multiple bicycle facility projects planned for both new and existing roadways will form the framework for an integrated and complete River Region Bicycle Network.

### *5.1. Current Bicycle Facilities*

In the last decade the River Region has begun addressing bicycle facilities in both existing and planned roadways. In addition, bicycle facilities have begun to emerge as popular recipients of transportation enhancements funds. Both built facilities and facilities in design or under construction are categorized as existing facilities. The existing bicycle facilities in the River Region are as follows:

- A Bicycle Lane on Hall Street from High Street to Glenn Palmer
- A Bicycle Lane on Ft. Toulouse Road from US-231 to Ft. Toulouse
- Share Lane Markings on Old Farm Lane from Cobbs Ford Road to SR 14
- Montgomery Riverwalk from Cypress Inlet to Intermodal Tower and Pedestrian Bridge
- The Wetumpka Riverwalk from the Wetumpka Civic Center to Fain Park
- A Shared-Use Path on Maxwell Boulevard from Maxwell Boulevard E. to I-65
- Share the Road Signs and Plaques in Montgomery County along various roadways
- Pike Road Trail on Meriwether Road Shared-Use Path
- Park Crossing from Wilson YMCA to Taylor Road (Bicycle Lanes and 8 ft. Shared-use path)

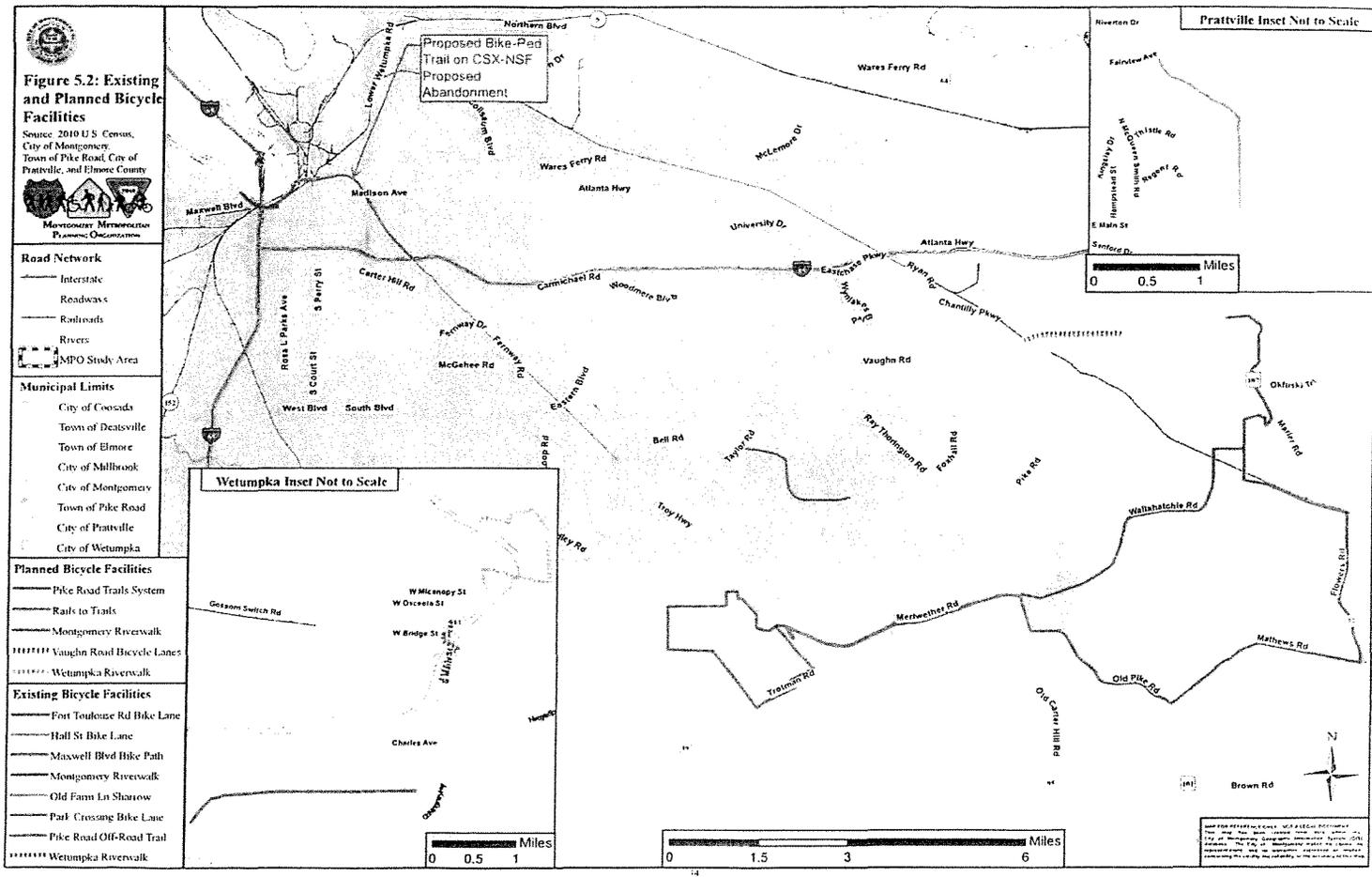
Figure 5.1 and 5.2 detail all existing and planned bicycle facilities in the Montgomery MPO Study Area.

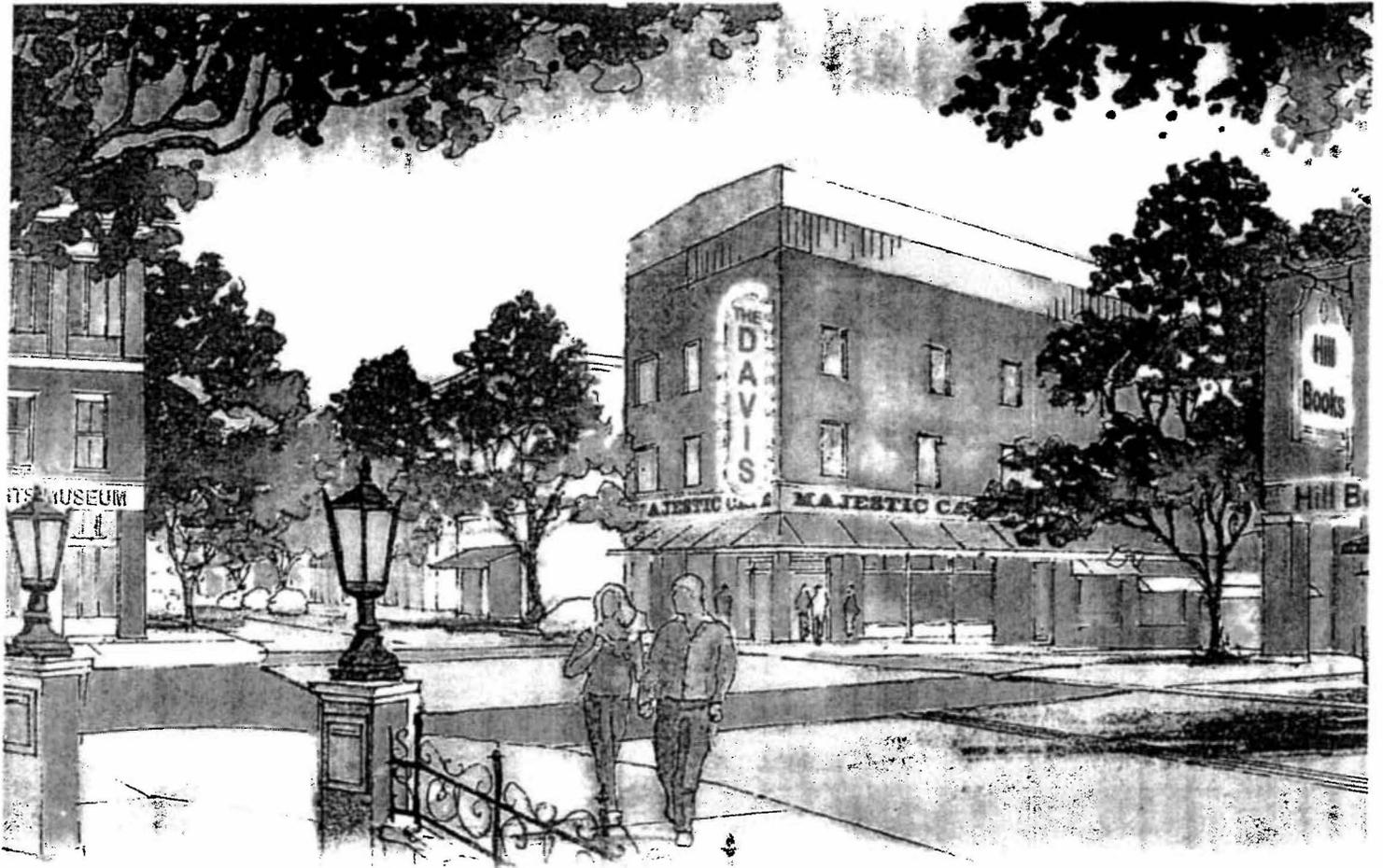
### *5.2. Planned Bicycle Facilities*

Four bicycle facilities projects have been planned for the River Region over the next two years. The projects with known facility type are:

- Extension of the Wetumpka Riverwalk (Shared-use path)
- Extension of the Montgomery Riverwalk (Shared-use path)
- Rails-Trails Project in the City of Montgomery from N. Decatur Street to I-85 (Shared-use path)
- Town of Pike Road Trail System
- Bicycle Lanes on Vaughn Road from Chantilly Parkway to the second Bridlebrook Farms subdivision entrance

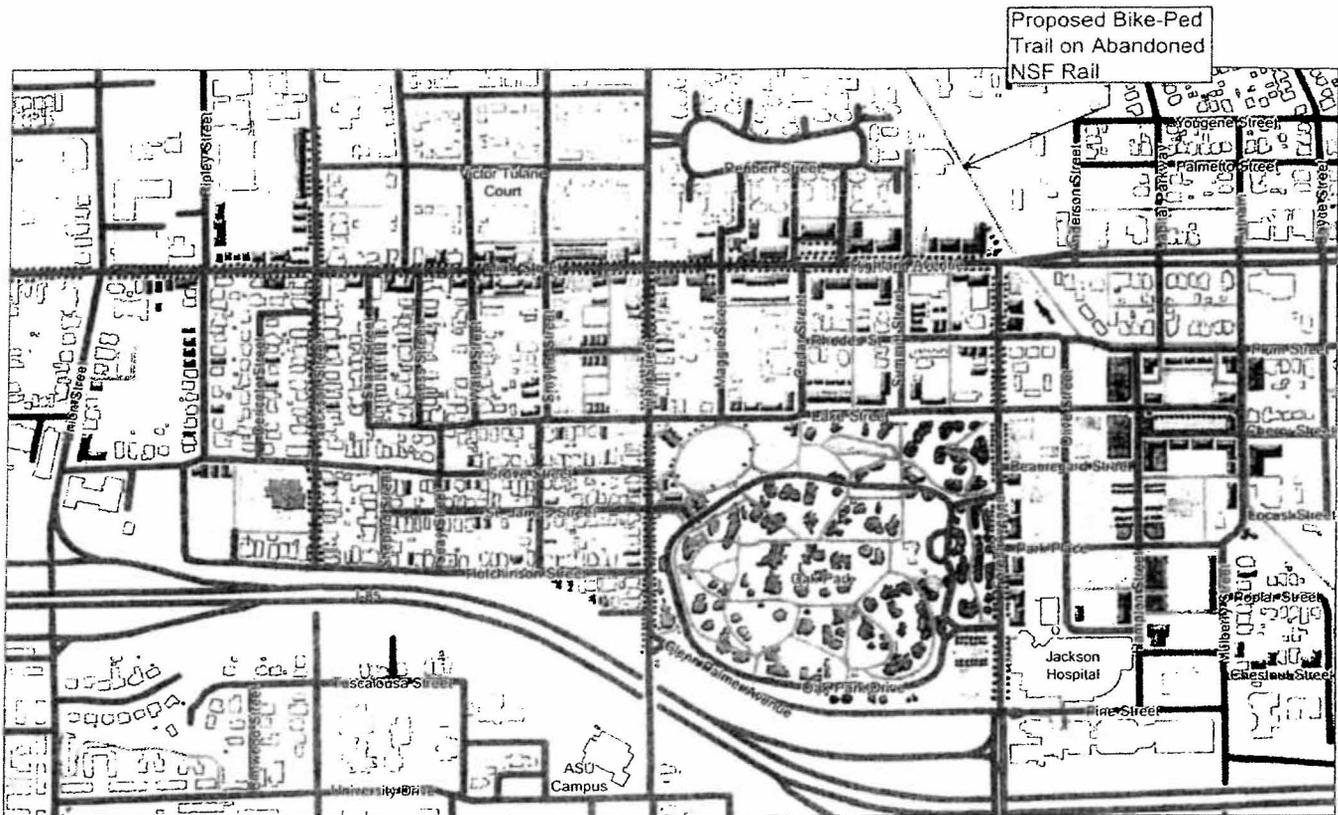
Figure 5.1 and 5.2 detail all existing and planned bicycle facilities in the Montgomery MPO Study Area.





# THE PLAN FOR OAK PARK & CENTENNIAL HILL

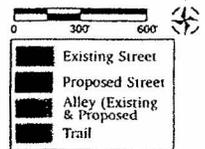
September 2011

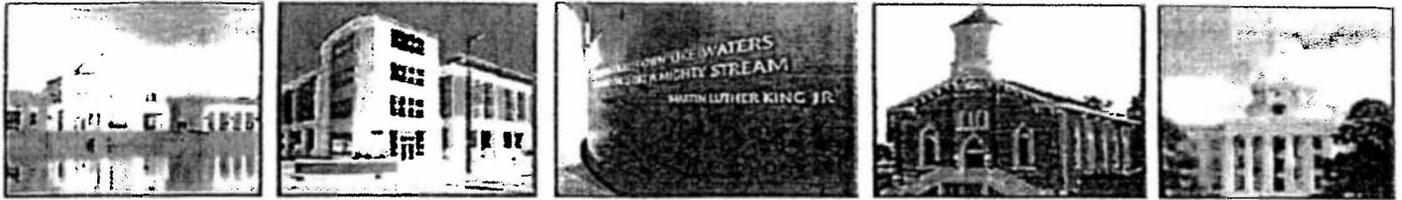


**Proposed Pedestrian Network**

The pedestrian network is composed of the streets, alleys and trail system. The main trails in this area are throughout Oak Park and along the old railway line to the east of the study area.

Multiple connections through Oak Park allow the park to once again link all of the different areas instead of acting as a wall between them.





# MONTGOMERY MPO YEAR 2035 LONG RANGE TRANSPORTATION PLAN

Adopted: July 1, 2010

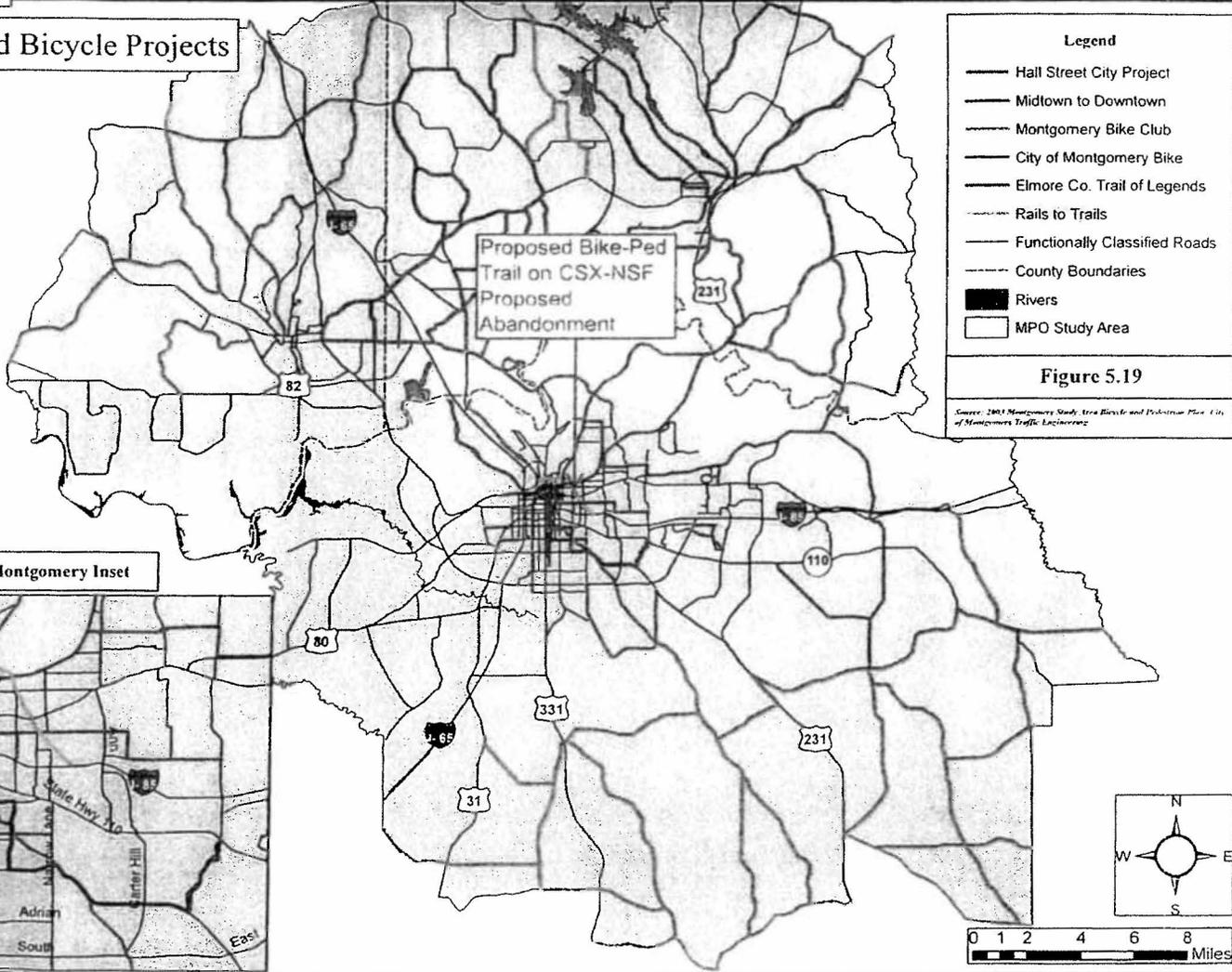
Prepared by  
Montgomery MPO Transportation Planning Staff with Assistance  
from J.R. Wilburn & Jacobs Engineering Group





# Montgomery Study Area - 2035 Long Range Transportation Plan

## Proposed Bicycle Projects



**Figure 5.19**  
Source: 2003 Montgomery Study Area Bicycle and Pedestrian Plan, City of Montgomery Traffic Engineering

Express bus and vanpool services differ in both the demand required to sustain such a service and operational characteristics. The MPO will need to assess in more detail which transit option would best meet the needs of the area based on current demand and trip-making patterns. Some areas have implemented these services sequentially, where vanpool services are initially implemented and, once ridership builds to a level to deem it necessary, express bus services are implemented. It should be noted that the market for this type of service is enhanced if there is any sort of operational benefit that provide the priority for transit vehicles, for example signal priority or queue jumping.

Based upon the express bus/vanpool and local transit service analyses, several findings have been identified and are presented below:

- Several existing routes, as identified previously, would benefit from enhanced service, including additional buses and reduced headways.
- Opportunities exist for expanding the fixed route network to the high growth residential and retail employment area surrounding I-85 from west of Eastern Blvd/US 231 to Atlanta Highway as well as to the industrial area surrounding the Airport/US 80/Selma Highway and car manufacturing facility off of I-65.
- Opportunity for express bus service exists from Prattville to downtown Montgomery, particularly along corridors expected to operate primarily at LOS F. These areas include Prattville and Millbrook via I-65 and areas of East Montgomery via I-85.

#### **5.2.5 Possible Passenger Rail Transit Needs**

The City of Montgomery once was home to the first electric passenger rail transit streetcar in the nation from 1886-1936. The name of the system was called the Montgomery Street Railway System (commonly known as "The Lightning Route"). The Montgomery Street Railway System was last owned and operated by Alabama Power Company. It operated initially in 1886 a network 4 passenger rail streetcar rail lines and once it ended in 1936 a total of 20 passenger streetcar rail lines throughout Montgomery at that time. The passenger rail streetcar lines went as far north along Lower Wetumpka Road to Vandiver Blvd (in the city limits at that time), southeast to the intersection of Narrow Lane Road and Woodley Road (in the city limits at that time), west along what is now Maxwell Blvd stopping at the entrance to Maxwell Air Force Base and east along Highland Ave stopping at Panama Street. All streetcar lines originated in downtown Montgomery at historic Union Station, and dispersed on a radial system in all directions of the city limits at that time. Figure 5.22 shows the 1936 Montgomery Street Railway lines when they ended in 1936.

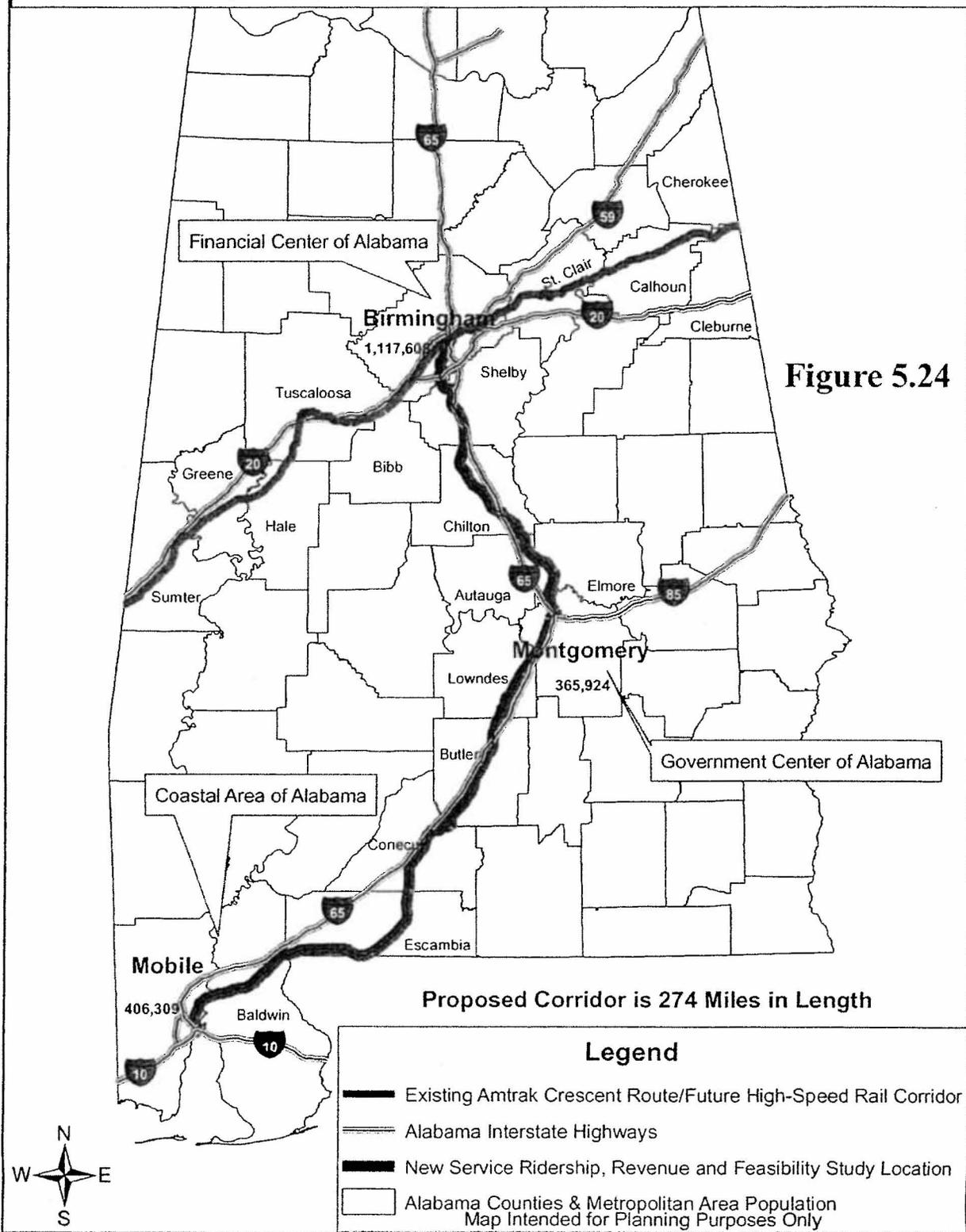
The City of Montgomery has plans to study the possibility of returning to streetcar passenger rail transit and will perform an alternatives analysis for new or small starts funding when funds can be obtained. Further alternatives analysis will also be done to study a CSX commercial freight rail line that runs from downtown Montgomery to Gunter Industrial Park, then along an abandoned rail line that parallels Atlanta Highway/US-80 to Chantilly Parkway to determine the feasibility of converting the old freight rail for the purpose commuter passenger rail. Figure 5.23 shows the abandoned freight rail line that parallels Chantilly Parkway and Atlanta Highway to Gunter Industrial Park and switches to an existing CSX switching line that runs to downtown Montgomery.

The Alabama Department of Economic and Community Affairs (ADECA) was awarded a grant from the Federal Railroad Administration (FRA) to study the feasibility of high-speed passenger rail returning to Alabama from Birmingham to Montgomery to Mobile, a 274 mile corridor. As recent as 1995 a passenger rail service was operated by Amtrak on what was called the Amtrak Gulf Breeze route. The operation was funded in part by the State of Alabama. Figure 5.24 shows the potential high-speed passenger rail corridor location across the northern portion of the state and the new service ridership, revenue and feasibility study location from Birmingham to Mobile.



# Montgomery Study Area - 2035 Long Range Transportation Plan

## Project Location Map of Proposed New Service Ridership, Revenue and Feasibility Study





# Capitol Heights Neighborhood Plan

Plan Adopted by the Montgomery, Alabama, Planning Commission  
March 2007

## Public Facilities and Safety

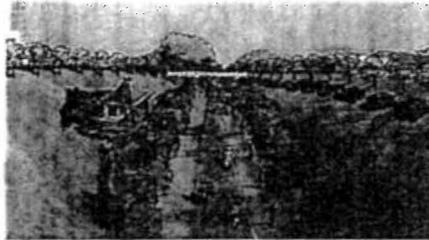
- Plan for a bicycle route to connect the neighborhood to other areas of the City. The Metropolitan Planning Organization (MPO) is the transportation planning group for Montgomery, Elmore, and Autauga Counties, and it has a section that plans for MPO-wide bicycle routes. The MPO should be notified once the Bicycle Route for Capitol Heights is decided upon in order that this neighborhood route be added to the MPO document. After this Plan is adopted, the neighborhood should have a meeting with the City of Montgomery Traffic Engineers to determine the route to be marked for the route.

- The old railroad that ran from Eufala to Montgomery and traveled beneath Highland, Mt. Meigs, Madison, Upper Wetumpka Road, and Ripley Street on its way to the train shed downtown is gone, but the rail cut that remains offers an amazing opportunity for a pedestrian and cycling trail. From at least I-85 south of Highland Park and continuing to the downtown, this former space for tracks is intact and would make a unique Rail-to-Trails for the City. It runs along the western edge of the Capitol Heights Planning boundary,

it would be a scenic spot as well as a great recreational opportunity. The Plan is to secure the use of the land for the City, clean up the area, place a trail for biking and walking, add access points to the street above where the trail goes under the roads mentioned, and place lighting for the trail all along its length. This would be a major connector for several neighborhoods as well as for Capitol Heights and Downtown.

The Rails-to-trails project would also be a stimulus to businesses located near the Trail and especially along the access points at Highland, Mt. Meigs, Madison, and Upper Wetumpka Roads.

Tom Kaufman drawing of Rails-to-trails

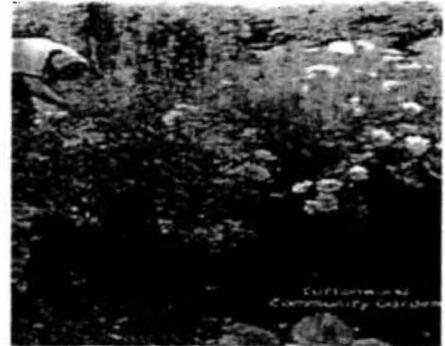


- Neighbors have requested curb cuts along existing sidewalks to accommodate strollers and pedestrians. This request will go to the City of Montgomery Traffic Engineering Department upon Plan approval. The City would need to study the need for such cuts and develop a budget. The Capitol Heights' City Council Representative might also be able to help with getting this project accom-

plished.

- Traffic calming is needed along several streets. Neighbors reported speeding traffic along St. Charles Avenue, Ryan and Vonora. It has been suggested that placing a planted strip down the center of Madison Avenue would help slow traffic on Madison.

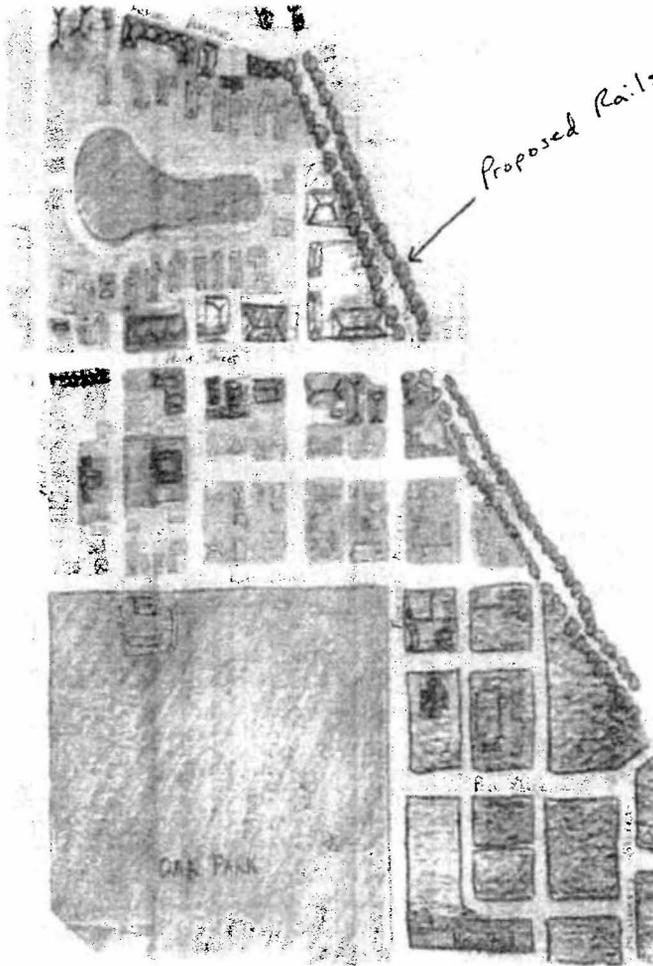
- <http://www.communitygarden.org/about-acga/> has information and how-tos for starting a community garden. The location must first be secured. There are several points to consider before the Garden is begun. Source of water, how will volunteers work out schedules for maintenance, how will crops be divided, and what to plant. The neighbors interested in the project will be able to sort through all these things. The City of Montgomery Planning Staff will be happy to help as needed. Building a cistern might also be a good idea.





# CENTENNIAL HILL Neighborhood Plan

Adopted by the City of Montgomery Planning Commission, June 2008



the various side streets, with parking behind the stores.

One alley has been drawn in the middle of the block between Jackson and Sharp Street, south of High. One could also be put in other blocks to allow for off street parking which would relieve some congestion on the rather narrow streets (Ross, Watts, and Smythe). The City does not have enough right-of-way along these four streets to put in sidewalks, so the alley would provide a way to make some extra room on the streets for pedestrians. Off street parking would also contribute to safety as the line of sight for drivers on the streets would be clear if there were no parked cars.

The area from Hall Street to the abandoned railroad track just east of Forest Avenue offers more commercial, mixed use, and even some manufacturing opportunities which could enhance the area and offer opportunities for jobs. With easy access to I-85, the location is a good one for small manufacturing like cottage industries, storage warehouses, and information technology companies. These manufacturing parcels are colored purple on the map.

Historic Oak Park and Jackson Hospital are two important institutions south of Highland Avenue. The hospital facilities are extremely important to the area and to Montgomery, as this is our most centrally located hospital. The future expansion of the Jackson Hospital facilities and related medical offices and laboratories could be protected with favorable zoning to encourage the medical complex to grow and thrive in the area. In addition to much needed medical facilities, Jackson Hospital offers a wide range of jobs. The City and the neighborhood should do all it can to support the hospital and provide safe and pleasant surroundings.

Oak Park is also a tremendous asset to the area and the City. The Park does need some redesign and renovation. The Hall Street side of the Park needs to be opened to facilitate access on the west side of the park.

Event AF

FEB 24 2014  
WMS



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

**Marcellus C. Kirchner**  
Director Strategic Planning  
(757) 629-2679  
(757) 823-5807 FAX

February 19, 2014

U. S. Fish and Wildlife Services  
Alabama Ecological Services Field Office  
Southeast Region 4  
1208 B Main Street  
Daphne, AL 36526-4419

RE: Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company -  
Abandonment – in Montgomery County, Alabama

Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc. – Discontinuance of  
Operating Rights – in Montgomery County, Alabama

Dear Sir or Madam:

2006-TA-0860

Central of Georgia Railroad Company, a wholly-owned subsidiary of Norfolk Southern Railway Company, is considering the abandonment of 2.12 miles of its rail line between Mileposts H 411.50 and H 413.62, and CSX Transportation, Inc. is considering the discontinuance of its operating rights over the 0.55 mile portion of the rail line between Mileposts H 413.07 and H 413.62, in the City of Montgomery, Montgomery County, Alabama. A map is included depicting the area under consideration.

During the removal of track and materials, if any, the railroads do not anticipate the use of any new access roads, the need to conduct dredging, or the use of fill. Only existing public and private access roads and the right of way should be needed to facilitate operations. In addition, the underlying roadbed will not be disturbed. There are three bridges on the line. During the removal of track and materials the bridges may be removed; however, any debris or other material will be removed from the area, preventing any of the material from entering waterways. The railroads will also take all measures to prevent and/or control the occurrence of spills or of any pollutants from entering surrounding waterways.

Should the rail segment be abandoned, the approval of the Surface Transportation Board is required. In addition, Federal Regulations 49 C.F.R. 1105.7 (8i) and (8ii) require the railroads to address the following statements:

- (i) "Based on consultation with the U.S. Fish and Wildlife Service state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects."

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

The railroads believe that our actions will not adversely impact any endangered or threatened species and their habitats or wildlife sanctuaries and parks; however we would appreciate your review and input. Please direct your responses and questions to LaWada Poarch at:

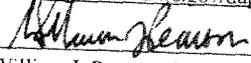
LaWada Poarch, Abandonments Coordinator  
Norfolk Southern Corporation  
Strategic Planning – 12<sup>th</sup> Floor  
3 Commercial Place  
Norfolk, VA 23510  
(757) 629-2803  
[Lawada.Poarch@nscorp.com](mailto:Lawada.Poarch@nscorp.com)



U.S. Fish and Wildlife Service  
1208-B Main Street – Daphne, Alabama 36526  
Phone: 251-441-5181 Fax: 251-441-6222

No federally listed species/critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW. We recommend use of best management practices specific to your project (See <http://www.fws.gov/daphne/section7/bmp.html>).

Very truly yours,

  
William J. Pearson, Field Supervisor

2/26/2014  
Date

# 3

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

Attachment

United States Department of Agriculture



Natural Resources Conservation Service  
P.O. Box 311  
3381 Skyway Drive  
Auburn, AL 36830

Telephone: (334) 887-4559

---

March 3, 2014

LaWada Poarch, Abandonments Coordinator  
Norfolk Southern Corporation  
Strategic Planning Department-12<sup>th</sup> Floor  
3 Commercial Place  
Norfolk, VA 23510

**RE: Docket No. AB-290 (Sub-No. 278X), Central of Georgia Railroad Company-  
Abandonment-in Montgomery County, Alabama**

**Docket No. AB-55 (Sub-No. 728X), CSX Transportation, Inc.-Discontinuance of  
Operating Rights- in Montgomery County, Alabama**

Attached is soils information for the proposed abandonment of 2.12 miles of rail line and the discontinuance of operating rights over 0.55 mile of rail line located in the city of Montgomery, Montgomery County, Alabama. The proposed Rail line areas are located in the city cooperate limits and is exempt and does not contain "prime farmland" under the definition of the Natural Resources Conservation Service nor that of the Departmental Regulation 9500-3.

No concerns were noted that would cause any adverse environmental impacts to the soil resources in the proposed abandonment and discontinuance areas.

Please advise if additional information is needed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence E. McGhee".

LAWRENCE MCGHEE  
State Soil Scientist

Attachment

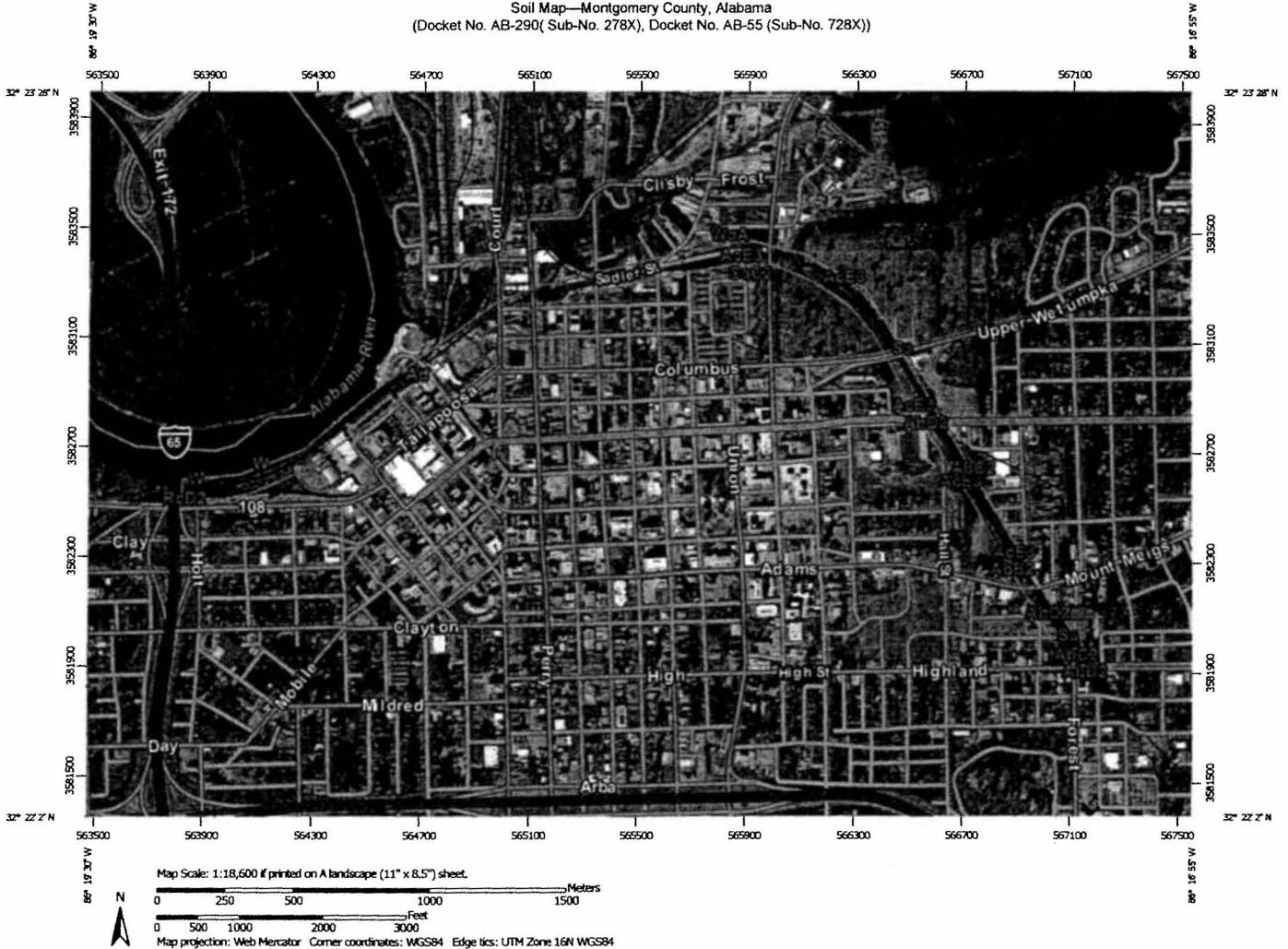
cc:

James Mason, Resource Soil Scientist, NRCS, Montgomery, AL

*Helping People Help the Land*

An Equal Opportunity Provider and Employer

Soil Map—Montgomery County, Alabama  
 (Docket No. AB-290( Sub-No. 278X), Docket No. AB-55 (Sub-No. 728X))



Map Scale: 1:18,600 if printed on a landscape (11" x 8.5") sheet.

0 250 500 1000 1500 Meters

0 500 1000 2000 3000 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

 **Natural Resources Conservation Service**

Web Soil Survey  
 National Cooperative Soil Survey

3/3/2014  
 Page 1 of 3

Soil Map—Montgomery County, Alabama  
(Docket No. AB-290( Sub-No. 278X), Docket No. AB-55 (Sub-No. 728X))

<b>MAP LEGEND</b>	<b>MAP INFORMATION</b>	
<p><b>Area of Interest (AOI)</b></p> <p> Area of Interest (AOI)</p> <p><b>Soils</b></p> <p> Soil Map Unit Polygons</p> <p> Soil Map Unit Lines</p> <p> Soil Map Unit Points</p> <p><b>Special Point Features</b></p> <p> Blowout</p> <p> Borrow Pit</p> <p> Clay Spot</p> <p> Closed Depression</p> <p> Gravel Pit</p> <p> Gravelly Spot</p> <p> Landfill</p> <p> Lava Flow</p> <p> Marsh or swamp</p> <p> Mine or Quarry</p> <p> Miscellaneous Water</p> <p> Perennial Water</p> <p> Rock Outcrop</p> <p> Saline Spot</p> <p> Sandy Spot</p> <p> Severely Eroded Spot</p> <p> Sinkhole</p> <p> Slide or Slip</p> <p> Sodic Spot</p>	<p> Spoil Area</p> <p> Stony Spot</p> <p> Very Stony Spot</p> <p> Wet Spot</p> <p> Other</p> <p> Special Line Features</p> <p><b>Water Features</b></p> <p> Streams and Canals</p> <p><b>Transportation</b></p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p><b>Background</b></p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:20,000. Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: <a href="http://websoilsurvey.nrcs.usda.gov">http://websoilsurvey.nrcs.usda.gov</a> Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Montgomery County, Alabama Survey Area Data: Version 8, Dec 19, 2013</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Apr 25, 2010—Mar 1, 2011</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>

## Map Unit Legend

Montgomery County, Alabama (AL101)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AbB2	Amite fine sandy loam, eroded, very gently sloping phase	0.5	0.7%
AbC2	Amite fine sandy loam, eroded, gently sloping phase	5.2	6.8%
AbD2	Amite fine sandy loam, eroded, sloping phase	0.1	0.1%
AcE3	Amite sandy clay loam, severely eroded, strongly sloping phase	13.4	17.4%
Ad	Augusta silt loam and fine sandy loam	37.6	48.7%
CaC2	Cahaba fine sandy loam, eroded, gently sloping phase	0.0	0.1%
RcD2	Ruston fine sandy loam, eroded, sloping phase	0.4	0.5%
Sa	Sandy alluvial land, somewhat poorly drained	19.3	25.0%
W	Water	0.3	0.4%
WaA	Waugh fine sandy loam, level phase	0.3	0.4%
<b>Totals for Area of Interest</b>		<b>77.3</b>	<b>100.0%</b>

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

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**STB Docket No. AB-290 (Sub-No. 278X)**

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**CENTRAL OF GEORGIA RAILROAD COMPANY  
– ABANDONMENT EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**STB Docket No. AB-55 (Sub-No. 728X)**

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**CSX TRANSPORTATION, INC.  
– DISCONTINUANCE OF SERVICE EXEMPTION –  
IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, ALABAMA**

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**JOINT VERIFIED NOTICE OF EXEMPT ABANDONMENT AND DISCONTINUANCE**

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**DRAFT NOTICE OF EXEMPTION  
[CAPTION SUMMARY]**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB-290 (Sub-No. 278X), and Docket No. AB-55 (Sub-No. 728X)]

Central of Georgia Railroad Company – Abandonment Exemption – In the City of Montgomery, Montgomery County, Alabama;

and

CSX Transportation, Inc. – Discontinuance of Service Exemption – In the City of Montgomery, Montgomery County, Alabama

Central of Georgia Railroad Company (“CGA”), a wholly owned subsidiary of Norfolk Southern Railway Company (“NSR”), and CSX Transportation, Inc. (“CSXT”) jointly have filed a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights) for – (1) CGA to abandon a total of 2.12 miles of CGA rail line (hereinafter, the “Line”) extending between Milepost H 411.50 and Milepost H 413.62, all located in the City of Montgomery, Montgomery County, Alabama; and (2) CSXT to discontinue its operating rights and terminate its common carrier obligation over approximately 0.55 miles of the subject line between Milepost H 413.07 and Milepost H 413.62. The Line traverses portions of United States Postal Service Zip Code territories 36104 and 36107.

CGA and CSXT have certified as follows: (1) no local traffic has moved over the Line for at least 2 years; (2) there is no overhead traffic on the subject Line (and that any overhead traffic could be re-routed over other lines in any event); and (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. CGA also has certified that 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 \_\_\_\_\_, 2014, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by \_\_\_\_\_, 2014. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by \_\_\_\_\_, 2014, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CGA's and CSXT's respective counsel as follows: William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania

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<sup>1</sup> 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.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 C.F.R. § 1002.2(f)(25).

Ave., NW, Suite 300, Washington, DC 20037; and Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

In connection with its proposed abandonment of the Line, CGA has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by \_\_\_\_\_, 2014. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is 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), CGA shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Lines. If consummation has not been effected by the filing of a notice of consummation by \_\_\_\_\_, 2015, and there are no legal or regulatory barriers to consummation, the authority to abandon accorded to CGA will automatically expire.

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

Decided: \_\_\_\_\_, 2014.

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