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January 21, 2016

239926

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings
January 21, 2016
Part of
Public Record

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

Dear Ms. Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for Florida East Coast Railway, LLC to abandon an approximately 1.21-mile rail line on its South Little River Branch Line between milepost LR 11+3989 and milepost LR13+0000 in Miami Dade County, FL. Also enclosed are a check for the filing fee of \$3,900 and a CD containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for Florida East Coast Railway, L.L.C.

Enclosure

FEE RECEIVED
January 21, 2016
SURFACE
TRANSPORTATION BOARD

FILED
January 21, 2016
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-70 (Sub-No. 6X)

FLORIDA EAST COAST RAILWAY, L.L.C.—ABANDONMENT EXEMPTION—IN
MIAMI-DADE COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

Robert Ledoux, Esq.
Florida East Coast Railway, L.L.C.
7411 Fullerton Street, Suite 300
Jacksonville, FL 32256
(904) 538-6032

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

Attorneys for: Florida East Coast Railway,
L.L.C.

Dated: January 21, 2016

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-70 (Sub-No. 6X)

FLORIDA EAST COAST RAILWAY, L.L.C.—ABANDONMENT EXEMPTION—IN
MIAMI-DADE COUNTY, FL

VERIFIED NOTICE OF EXEMPTION

Florida East Coast Railway, L.L.C., (“FEC”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for FEC to abandon an approximately 1.21-mile rail line on its South Little River Branch Line between milepost LR 11+3989 and milepost LR13+0000 in Miami Dade County, FL (the “Line”). After receiving abandonment authority, FEC plans to abandon the Line, salvage the track and materials and convert the property to trail use. No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of FEC, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is March 11, 2016.

2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.

3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. Florida East Coast Railway, L.L.C.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. FEC is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. FEC seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 1.21-mile rail line between milepost LR 11+3989 and milepost LR13+0000 in Miami-Dade County, FL.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgrailaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses. The Line traverses U.S. Postal ZIP Code 33144 and 33126.

(e) Rural and community impact.

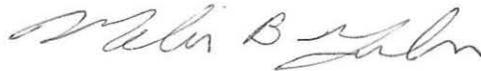
(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which

would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

The Line may be suitable for other public purposes or trail use, but may be subject to reversionary interests.

4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).
5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.
6. Combined Environmental and Historic Report: See Exhibit D.

Respectfully submitted,



Robert Ledoux, Esq.
Florida East Coast Railway, L.L.C.
7411 Fullerton Street, Suite 300
Jacksonville, FL 32256
(904) 538-6032

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: Florida East Coast Railway,
L.L.C.

Dated: January 21, 2016

EXHIBIT A-VERIFICATION AND CERTIFICATION

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

STATE OF FLORIDA)
) ss.
COUNTY OF DUVAL)

I, Robert Ledoux state that I am SVP
for Florida East Coast Railway, L.L.C.; 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 no freight traffic has moved over FEC's 1.21-mile rail line between
milepost LR 11+3989 and milepost LR13+0000 in Miami-Dade County, FL, 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 FEC 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.

Robert B. Ledoux

SUBSCRIBED AND SWORN TO before me this 19th day of January 2016.

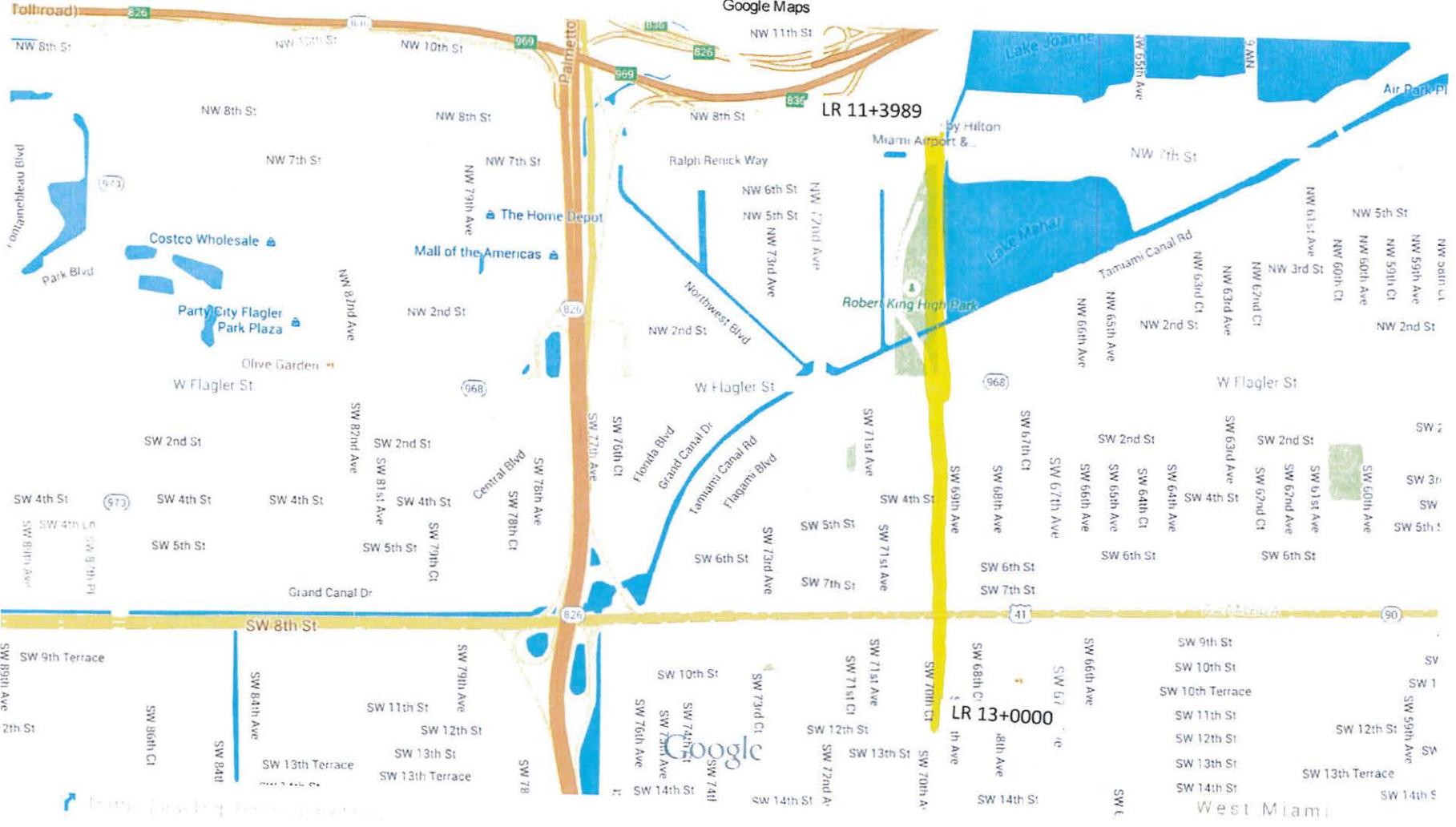
My Commission Expires: 7-16-18

Sandy L Kelley
Notary Public



EXHIBIT B-MAP

7/15/2015



Map data ©2015 Google 1000 ft

EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-70 (Sub-No. 6X) was mailed via first class mail on January 11, 2016, to the following parties:

State Public Service Commission

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-085

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

National Park Service

Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Melanie Yasbin
January 21, 2016

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-70 (Sub-No. 6X) in the following form was advertised on January 19, 2016 in the SunSentinel, a newspaper of general circulation in Miami-Dade County, FL as required by 49 C.F.R. § 1105.7(c) and .12.



Melanie Yasbin
January 21, 2016

Notice of Intent To Abandon

Florida East Coast Railway, L.L.C. (“FEC”) gives notice that on or about January 21, 2016, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of an approximately 1.21-mile rail line between milepost LR 11+3989 and milepost LR13+0000, which traverses United States Postal Service ZIP Code 33144 and 33126, in Miami Dade County, FL (the “Line”). The proceeding has been docketed as No. AB-70 (Sub-No. 6X).

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

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board’s Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423–0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant’s representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board’s Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant’s representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgraillaw.com.

**EXHIBIT D- COMBINED ENVIRONMENTAL AND
HISTORIC REPORT**

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.7 and § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-70 (Sub-No. 6X) was mailed via first class mail on December 23, 2015 to the following parties:

Florida Coastal Management Program 3900 Commonwealth Boulevard, M.S. 47 Tallahassee, FL 32399-300	National Park Service Southeast Region 100 Alabama Street Atlanta, GA 30303
Florida Department of Environmental Protection 3900 Commonwealth Boulevard, M.S. 49 Tallahassee, FL 32399-3000	U.S. Fish and Wildlife Service Region 4 1875 Century Boulevard Atlanta, GA 30345
Florida State Clearinghouse 3900 Commonwealth Boulevard, M.S. 47 Tallahassee, FL 32399-3000	Miami-Dade Department of Planning and Zoning Stephen P. Clark Center 111 N.W. 1 st Street, 12 th Floor Miami, FL 33128
Natural Resources Conservation Service United States Department of Agriculture P.O. Box 14510 Gainesville, FL 32614	U.S. Army Corps of Engineers Jacksonville District, Regulatory Division 701 San Marco Blvd Jacksonville, FL 32207
Mr. Jean Monestime Chairman Board of County Commissioners Miami-Dade County 111 NW 1 st Street, Suite 220 Miami, FL 33128	Mr. Russell Morgan State Conservationist USDA Natural Resources Conservation Service 14 th and Independence Ave, SW Room 5204-S Washington, DC 20250
U.S. Environmental Protection Agency Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303-8960	National Geodetic Survey Simon.Monroe@noaa.gov

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

January 21, 2016

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

(49 C.F.R. 1105.7 and 1105.8)

Docket No. AB-70 (Sub-No.6X)

FLORIDA EAST COAST RAILWAY, L.L.C.—ABANDONMENT EXEMPTION—in MIAMI
DADE COUNTY, FL

Dated: December 23, 2015

ENVIRONMENTAL REPORT

(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.

Florida East Coast Railway, L.L.C. (“FEC”) proposes to abandon an approximately 1.21-mile railroad line between milepost LR 11+3989 (station 620+73.15) and milepost LR 13+0000 (station 686+43.0) in Miami Dade County Florida (the “Line”).

Abandonment of the Line will result in the removal of the rail, crossties and possibly the upper layer of ballast. Removal of the Line will result in the elimination of 3 public road crossings and 1 private crossing.

There has been no traffic on the Line for over 2 years.

The only alternative to a full abandonment would be for FEC not to abandon the Line. With little, if any, potential traffic, FEC has decided to seek abandonment of the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

(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.

There is no passenger traffic on the Line to be diverted to other modes as a result of the proposed abandonment. There is no freight traffic on the Line to be diverted to motor carrier.

Accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

(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. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (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. § 10905 and explain why.

(i) FEC considers the proposed abandonment to be consistent with existing land use plans. The area surrounding the Line is urban in nature.

FEC contacted the City of Miami and Dade County, FL, by letter dated December 23, 2015 See Exhibit 2.

No other response has been received as of this date. A copy of this Environmental Report has been mailed to the appropriate local and state agencies for their information and further comment.

(ii) FEC does not believe that there is any prime agricultural land that will be affected. FEC notified the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (the agency succeeding to the responsibilities of the Soil Conservation Service) of the proposed abandonment by letter dated December 23, 2015, and requested assistance in identifying any potential effects on prime agricultural land. See Exhibit 2. A copy of this report has been supplied to the USDA for its information and further comment.

(iii) The Florida Department of Environmental Protection, Water Resource Management (“FDEP”) and Florida Coastal Management Program (“FCMP”), were notified by letters dated December 23, 2015. See Exhibit 2. A copy of this report was been supplied to FDEP and FCMP.

(iv) FEC believes the Line would be suitable for interim trail use/rail banking.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (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.

(i) The proposed abandonment will have no effect on the transportation of energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will have minimal effect on overall energy efficiency since there has been no traffic on the Line.

(iv) The proposed abandonment will not cause the diversion of more than 1,000 rail carloads a year; or an average of 50 rail carloads per mile per year for any part of the line segments of rail traffic to motor carriage.

(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. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (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. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstatement of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (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.

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(iii) The proposed abandonment will not affect the transportation of ozone depleting materials.

(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.

Not applicable.

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

(i) The proposed abandonment will have no detrimental effects on public health and safety. FEC has not operated over the Line in more than two years.

(ii) The proposed abandonment will not affect the transportation of hazardous materials.

(iii) FEC is not aware of any known hazardous waste sites or sites where there have been known hazardous materials spills on the Line.

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

(i) FEC does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. FEC notified the U.S. Fish and Wildlife Service (“USF&W”) of the proposed abandonment by letter dated December 23, 2015, and requested assistance in determining whether the proposed abandonment will adversely affect endangered or threatened species or areas designated as a critical habitat. *See* Exhibit 2. A copy of this Report was supplied to the USF&W for its information and further comment. To date, no response to this request has been received.

(ii) FEC is unaware of any wildlife sanctuaries or refuges, National or State parks or forests that would be adversely affected by the proposed abandonment. There are two City Parks located near the Line, Robert King High Park and Flagami Park.

FEC notified the National Parks Service of the proposed abandonment by letter dated December 23, 2015, and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests. *See* Exhibit 2. To date, no response to this request has been received. A copy of this Report has been supplied to the National Park Service for its information and comment.

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

(i) FEC is confident that the proposed abandonment will be consistent with applicable water quality standards. FEC contacted the FDEP and the United States Environmental Protection Agency (“USEPA”) by letter dated December 23, 2015. *See* Exhibit 2.

CAL does not intend to disturb one or more acres of the Line. FEC intends to remove the track and ties but leave the ballast in place. Additionally, FEC does not intend to excavate any portion of the Line and does not intend to relocate any water lines.

To date, no responses to this request has been received. A copy of this Report has been supplied to FDEP and USEPA for their information and comment.

(ii) FEC believes that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment. Upon receiving abandonment authority, removal of material will be accomplished by use of the right-of-way for access, along with existing public crossings. No new access roads are contemplated. FEC does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the Line and will not be discarded along the right-of-way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, FEC does not believe a permit under Section 404 of the Clean Water Act will be required.

FEC contacted the U.S. Army Corps of Engineers by letter dated December 23, 2015. *See Exhibit 2.* A copy of this Report has been supplied to the U.S. Army Corps of Engineers for its information and comment.

(iii) FEC believes that no permit under section 402 of the Clean Water Act would be required for the abandonment. FEC contacted the FDEP and USEPA by letter dated December 23, 2015. *See Exhibit 2.* A copy of this Report has been supplied to the FDEP and USEPA for their information and further comment.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

FEC does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. FEC will, of course, adhere to any remedial actions required by the Board.

HISTORIC REPORT

1. A U.S.G.S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

U.S. Geological Survey Maps have been supplied to the Florida Department of State, Bureau of Historic Preservation. *See* Exhibit 3.

2. A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The 1.21-mile right-of-way is approximately 100 feet wide with two crossings at 40 feet wide. The Line travels south from NW 7th Street along the Robert King High Park and crosses the Tamiami Canal. Continuing south the Line crosses SW 4th Street and SW 8th Street and ends at SW 12th Street.

3. Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

There is 1 wood trestle bridge on the property at milepost LR 12.23+ that is 50 years old or older. FEC intends to leave the ballast, bridges, and culverts intact for trail use. Therefore, FEC will not be removing any of the bridges on the Line. FEC will only remove the track and materials from the bridges but will leave the bridges in place. *See* Exhibit 4 for photographs.

4. The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;

The bridge was built in 1954 and repair work was conducted in 2004.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The Line is part of the South Little River Branch Line ("SLR Branch"). Most of the SLR Branch was constructed by FEC in 1932. It traverses commercial, industrial, and residential areas in Miami Dade County and was primarily used to serve local shippers. In August 2004, FEC embargoed the SLR Branch to perform emergency repair work on a bridge at milepost 12.23+. The temporary closure cut off rail access to the Line. In response to the embargo, the remaining few shippers opted to use truck service exclusively. When the embargo was lifted, the shippers did not resume rail service and there were no new sources of potential local traffic. In 2004, FEC abandoned the portion of the SLR Branch between mileposts LR 13.0± and milepost LR 18.0±, connected to and located south of the Line.

6. A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;

FEC is not aware of any other documentation in its possession.

7. An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

FEC believes that there are no archeological resources or other railroad related historic properties in the project area.

8. A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic waste), and the surrounding terrain.

Based on a review of its records, FEC believes that there are no known subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

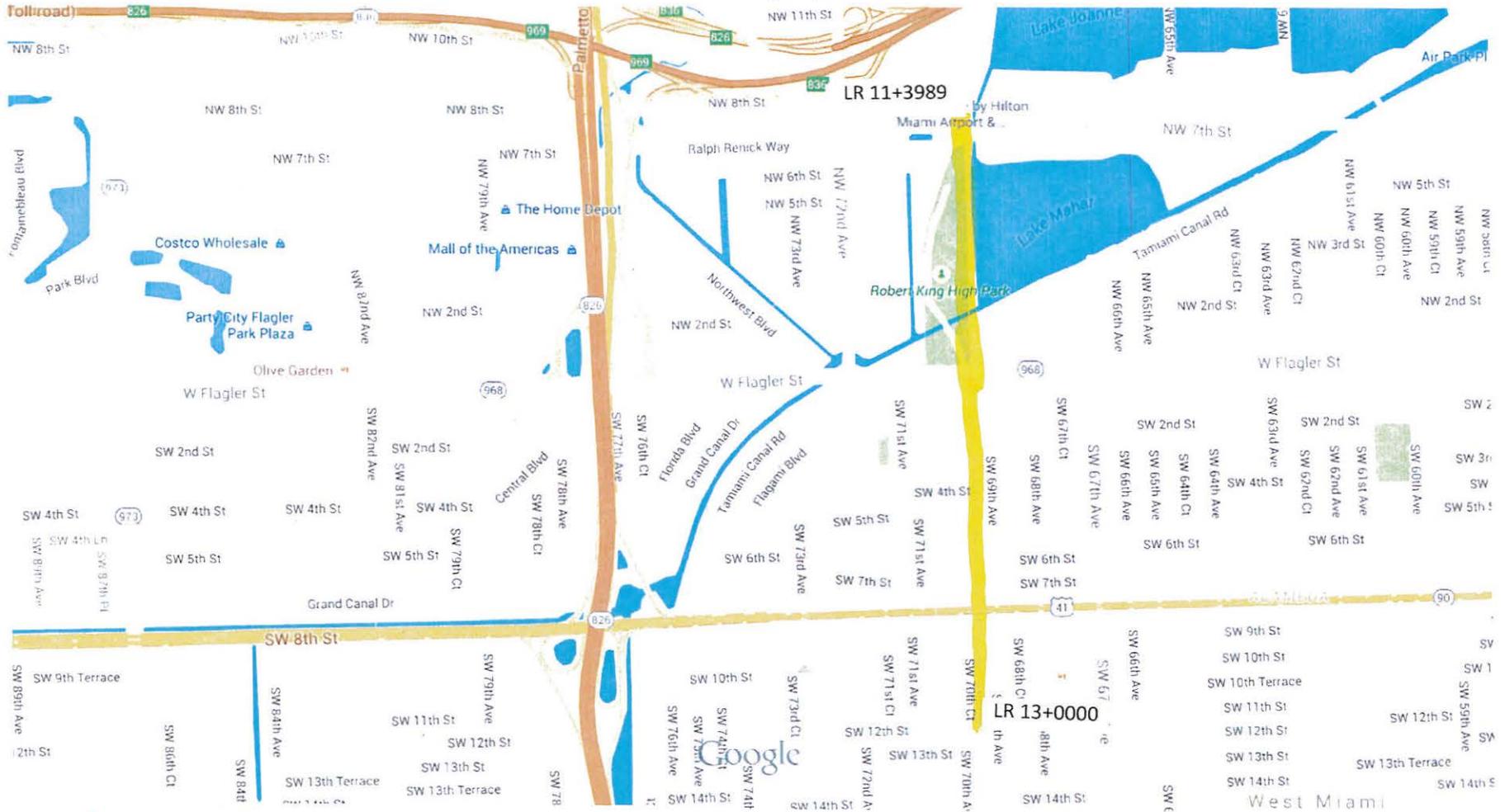
FEC does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. But, if any additional information is requested, FEC will promptly supply the necessary information.

FEC contacted the Florida Department of State, Bureau of Historic Preservation on December 23, 2015. *See* Exhibit 2. A copy of this Report has been mailed to FLSHPO.

EXHIBIT 1 – MAP

7/15/2015

Google Maps



Map data ©2015 Google 1000 ft

EXHIBIT 2 – LETTERS

LAW OFFICES OF
LOUIS E. GITOMER, LLC

LOUIS E. GITOMER
Lou@lgraillaw.com

December 23, 2015

600 BALTIMORE AVENUE, SUITE 301
TOWSON, MARYLAND 21204-4022
(410) 296-2250 • (202) 466-6532
FAX (410) 332-0885

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

Mr. Jean Monestime
Chairman
Board of County Commissioners
Miami-Dade County
111 NW 1st Street, Suite 220
Miami, FL 33128

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

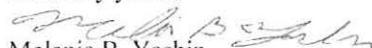
Dear Chairman Monestime:

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Sincerely yours,


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Attorney for Florida East Coast Railway, LLC

Enclosure

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Miami-Dade Department of Planning and Zoning
Stephen P. Clark Center
111 N.W. 1st Street, 12th Floor
Miami, FL 33128

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

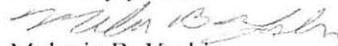
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Mr. Russell Morgan
State Conservationist
USDA Natural Resources Conservation Service
14th and Independence Ave, SW
Room 5204-S
Washington, DC 20250

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

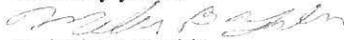
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National Geodetic Survey
Simon.Monroe@noaa.gov

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

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Florida Coastal Management Program
3900 Commonwealth Boulevard, M.S. 47
Tallahassee, FL 32399-300

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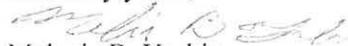
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National Park Service
Southeast Region
100 Alabama Street
Atlanta, GA 30303

RE: Docket No. AB-70 (Sub-No. 6X), *Florida East Coast Railway, L.L.C.—
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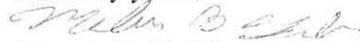
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Florida Department of Environmental Protection
3900 Commonwealth Boulevard, M.S. 49
Tallahassee, FL 32399-3000

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U.S. Fish and Wildlife Service
Region 4
1875 Century Boulevard
Atlanta, GA 30345

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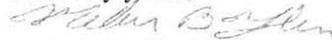
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3900 Commonwealth Boulevard, M.S. 47
Tallahassee, FL 32399-3000

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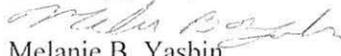
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U.S. Army Corps of Engineers
Jacksonville District, Regulatory Division
701 San Marco Blvd
Jacksonville, FL 32207

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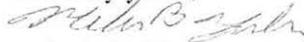
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Natural Resources Conservation Service
United States Department of Agriculture
P.O. Box 14510
Gainesville, FL 32614

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

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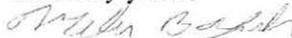
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U.S. Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

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

Dear Madam/Sir:

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

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

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

Sincerely yours,

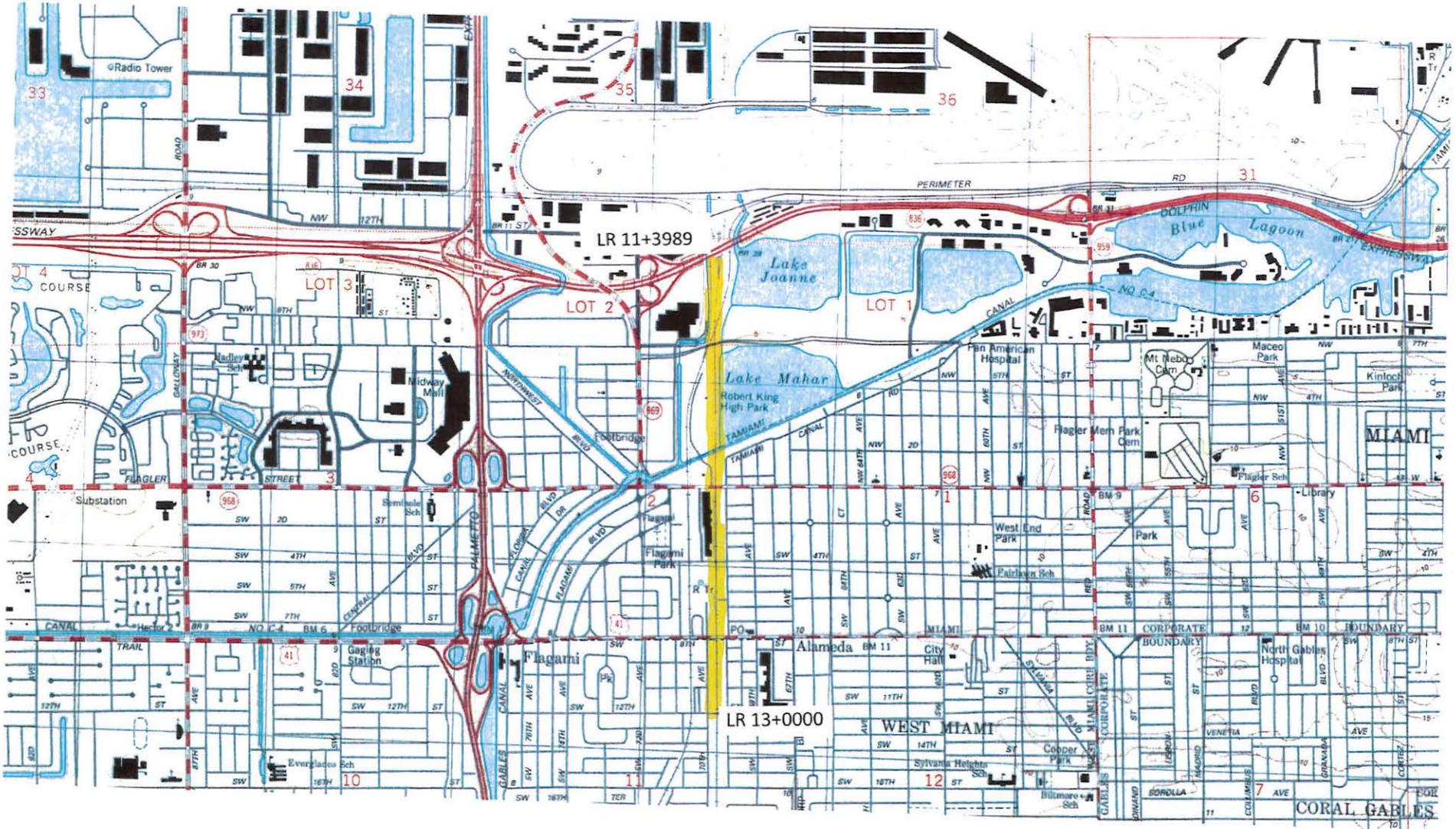


Melanie B. Yasbin

Attorney for Florida East Coast Railway, LLC

Enclosure

EXHIBIT 3 – USGS MAP



LR 11+3989

LR 13+000

LOT 2

LOT 1

LOT 3

LOT 4

MIAMI

WEST MIAMI

CORAL GABLES

Radio Tower

Alameda

WEST MIAMI

CORAL GABLES

Alameda

Radio Tower

LOT 2

LOT 1

LOT 3

LOT 4

MIAMI

WEST MIAMI

CORAL GABLES

Alameda

Radio Tower

EXHIBIT 4-Photographs

CANAL C-4
876419

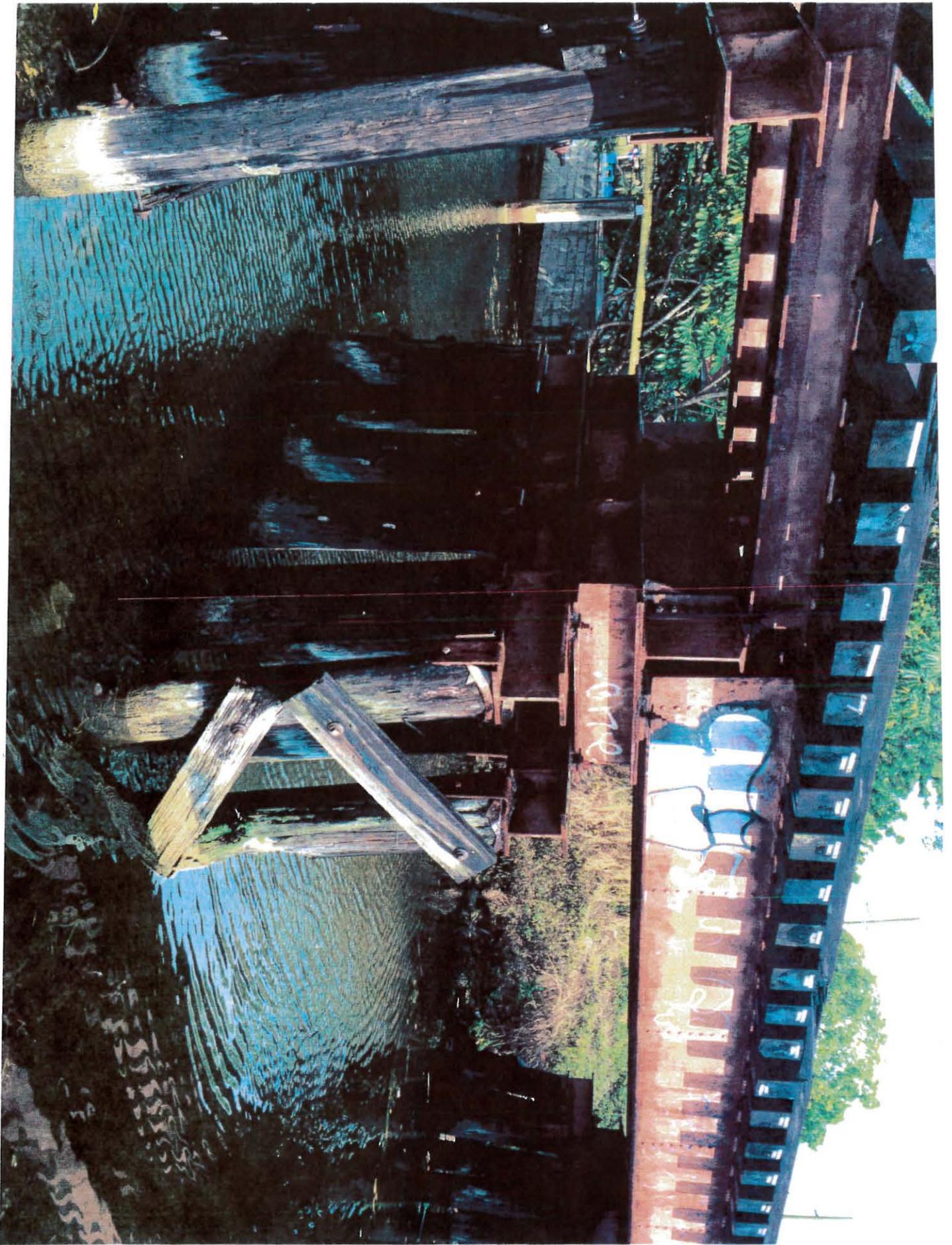








EXHIBIT F—COLOR EXHIBITS