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May 22, 2009

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 697X), *CSX Transportation, Inc. -
Abandonment Exemption-in Glynn County, GA*

Dear Acting Secretary Quinlan:

Enclosed are the original and 10 copies of a Petition for Exemption for abandonment in the above-entitled proceeding and a filing fee of \$6,300. Also enclosed is a computer diskette in containing the Petition in Word and pdf format.

CSXT is requesting expedited handling of this proceeding.

Please time and date stamp the additional copy of this letter and the Petition and return them with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours

Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

ENTERED
Office of Proceedings
MAY 22 2009
Part of
Public Record

Enclosures

FILED
MAY 22 2009
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
MAY 22 2009
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 697X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN GLYNN COUNTY, GA

PETITION FOR EXEMPTION

EXPEDITED HANDLING REQUESTED

Steven Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(202) 466-6532

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: May 22, 2009

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 697X)

CSX TRANSPORTATION, INC.– ABANDONMENT EXEMPTION–
IN GLYNN COUNTY, GA

PETITION FOR EXEMPTION

CSX Transportation, Inc. (“CSXT”) petitions the Surface Transportation Board (“Board”) to exempt, under 49 U.S.C. §10502, CSXT’s abandonment of a 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision between milepost AOB 534.36, and milepost AOB 534.67, all in Brunswick, GA, in Glynn County, GA (the “Line”), from the prior approval requirements of 49 U.S.C. §10903.

Abandonment will allow CSXT to avoid costs incurred by continued ownership of the Line. The last shipper on the Line stopped using rail service over five years ago. The Line has been used only for CSXT’s operational convenience. The new Glynn County Middle School has been built on the east side of the Line. In order to access the school, a new road must be built across the Line. If the Line is not abandoned, two railroad crossings will have to be constructed with gates and flashers. In addition, the crossing will have to be constructed to protect pedestrian crossing. Abandonment will allow Brunswick to avoid the cost of constructing the crossings. CSXT will be able to rationalize a short section of its railroad where there is no shipper requiring service.

REQUEST FOR EXPEDITED ACTION

CSXT has been working with Brunswick so that the road to the school will be completed in time for the beginning of the school year. CSXT has been told that road construction must start by August 1, 2009 in order to be completed in time to coincide with the school opening. CSXT is willing to expedite the processing of the abandonment in order to attempt to accommodate Glynn County. CSXT recognizes that it is very unusual for the Board to act so quickly in abandonment proceedings because of the varied interests generally involved. However, CSXT contends that expedited handling of the abandonment is warranted to meet the needs of Glynn County and because there are no shippers on the line. A letter from the City Manager of Brunswick, GA supporting the request for expedited action is in Exhibit F. CSXT respectfully requests the Board to serve a decision that will be effective by August 1, 2009.

PROPOSED TRANSACTION

CSXT proposes to abandon a 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision between milepost AOB 534.36, and milepost AOB 534.67, all in Brunswick, GA, in Glynn County, GA. The Line traverses Zip Code 31520. A colored map of the Line is attached as Exhibit A. Exhibit B consists of the Environmental Report and Exhibit C consists of the Historic Report. The draft Federal Register Notice is in Exhibit D, and copies of the newspaper publication and the required certification are in Exhibit E. A letter of support from the City Manager of Brunswick, GA is in Exhibit F and a verified statement from Ms. Ellen M. Preslar is in Exhibit G. The certificate of service is in Exhibit H.

Based on information in CSXT's possession, the Line does not contain federally granted right-of-way. Any documentation in CSXT's possession concerning title will be made available to those requesting it. There are no stations on the Line.

BACKGROUND

The Line is at the end of CSXT's Brunswick Subdivision in Brunswick, GA. There are no shippers on the Line and the Line does not handle overhead traffic. About 0.2 miles south of the Line is Glynn Iron & Metals ("Glynn Iron"), an active shipper that CSXT now serves and will continue to serve if the Line is abandoned. To the west of the Line is a siding referred to as Runaround "E."

Prior to April 2008, CSXT used the Line and Runaround "E" for operational convenience in providing service to Glynn Iron. This service is described in Exhibit G, the verified statement of Ms. Ellen M. Preslar (referred to as "Preslar VS"). In April 2008, there was a derailment on the Line and a portion of the track was destroyed. CSXT removed the destroyed track and placed a track panel near the track for replacement. Shortly after CSXT removed the track from the Line, Glynn County removed the parallel track from Runaround "E," without CSXT's prior consent, as a precursor to constructing the road to reach the new school. Exhibit A to the Preslar VS shows the location of the track that was removed.

After the track was removed from the Line, CSXT developed a new operation to serve Glynn Iron. CSXT continues to provide the same level of service to Glynn Iron at the same cost. There has been no change of service to any shipper as a result of the removal of the track on the line or on Runaround "E." CSXT does not expect the abandonment of the Line to result in any further changes in operations, and it certainly will not affect service to shippers.

Based on its belief that the Line had been out of service for more than two years because there was no shipper on the Line receiving service and because there was no overhead traffic on the Line, CSXT filed a notice of exemption to abandon the Line on May 1, 2009. The Board determined:

Based on the information provided in CSXT's notice and the information provided in CSXT's May 6 letter, the evidence shows that CSXT moved some undefined level of local traffic over the line for a shipper during the 2-year period prior to filing the notice of exemption. This means that proposed abandonment does not qualify for the class exemption. As a result, the Board will reject CSXT's notice of exemption as void ab initio.

CSX Transportation, Inc.—Abandonment Exemption—in Glynn County, Georgia, STB Docket No. AB-55 (Sub-No. 685X) (STB served May 14, 2009). CSXT did not believe that the traffic that moved over the Line was the type of traffic that would preclude it from making use of the notice of exemption procedures under 49 C.F.R. §1152.50. Therefore, CSXT filed the notice in order to abandon the Line in time to assist Glynn County. Regardless of its view, CSXT is seeking expedited Board action on this proposed abandonment so that Glynn County can open the new school and the school can be served by a paved road.

CSXT has conferred with the Board's Section of Environmental Analysis and has been advised that it can file the instant petition without providing a new notice for the Environmental and Historic Reports. SEA has agreed that the notices served in Docket No. AB-55 (Sub-No. 685X) are appropriate. CSXT has sent a letter to each of the parties previously notified to advise them of the change in docket number and the new type of proceeding. See Exhibits B and C. In Exhibits B and C, CSXT has certified to two dates of notice. The first date is for the Sub-No. 685X proceeding and the second date is for the instant proceeding.

A. There has been no demand for rail service in over five years.

The shipper that previously used the Line has not used the Line in over five years. Glynn Iron is not located on the Line and will continue to receive service from CSXT. CSXT has developed a new operational plan so that it no longer uses the Line.

B. Retention of the Line will require Glynn County to incur substantial costs.

The Line separates newly constructed new Glynn County Middle School from the main access. If CSXT does not abandon the Line, Glynn County will be required to construct two costly grade crossings of the Line and Runaround "E." These crossings will require installation and maintenance of active protective devices including flashing light signals, bells, and automated gates. CSXT understands that these crossings are expensive to install, and that Glynn County has not budgeted for the crossings.

CSXT contends that the expenditure of funds for the construction of two crossings over an unused rail line instead of the abandonment of that line when there is no traffic using the line and no shipper will be harmed by the abandonment, is contrary to sound public policy, especially where the local government and railroad are in agreement.

C. CSXT will incur costs to maintain the Line.

The Line is 0.31 miles in length. The Line is in Federal Railroad Administration Class 1 condition. However, CSXT will continue to incur inspection and maintenance costs for the Line if it is not abandoned. Indeed, if the Line is not abandoned and active crossing devices are installed, CSXT's inspection costs will increase substantially.

D. Summary.

Continued ownership and operation of the Line by CSXT will create a burden on CSXT and interstate commerce. There will be no traffic on the Line to offset maintenance costs. In

addition, the local community will be burdened by the construction of active crossing devices in order to access the new school. No user of rail service will be harmed since there are no shippers located on the Line, and there have not been any for over five years. Glynn Iron is located 0.2 miles south of the Line and will continue to receive service from CSXT.

CSXT contends that in balancing the harm to itself and interstate commerce against the absence of harm to shippers and local interests, the balance clearly favors abandonment. Indeed, local interests will benefit from the abandonment.

ARGUMENT SUPPORTING THE ABANDONMENT

CSXT seeks an exemption under 49 U.S.C. § 10502 from the applicable requirements of 49 U.S.C. §10903 in order to abandon the Line.¹

Under 49 U.S.C. §10502, the Board must exempt a transaction from regulation when it finds that:

(1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101; and

(2) either:

(a) the transaction is of limited scope, or

(b) regulation is not necessary to protect shippers from the abuse of market power.

The legislative history of Section 10502 reveals a clear Congressional intent that the Board should liberally use its exemption authority to free certain transactions from the administrative and financial costs associated with continued regulation. In enacting the Staggers Rail Act of 1980, Pub. L. No. 96-488, 94 Stat. 1895, Congress encouraged the Board's

predecessor agency to liberally use the expanded exemption authority under former Section 10505:

The policy underlying this provision is that while Congress has been able to identify broad areas of commerce where reduced regulation is clearly warranted, the Commission is more capable through the administrative process of examining specific regulatory provisions and practices not yet addressed by Congress to determine where they can be deregulated consistent with the policies of Congress. The conferees expect that, consistent with the policies of this Act, the Commission will pursue partial and complete exemption from remaining regulation.

H.R. Rep No. 1430, 96 the Cong. 2d Sess. 105 (1980). See also *Exemption From Regulation--Boxcar Traffic*, 367 I.C.C. 424, 428 (1983), vacated and remanded on other grounds, *Brae Corp. v. United States*, 740 F.2d 1023 (D.C. Cir 1984). Congress reaffirmed this policy in the conference report accompanying the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which re-enacted the rail exemption provision as Section 10502. H.R. Rep. No. 422, 104th Cong., 1st Sess. 168-69 (1995).

A. The Application of 49 U.S.C. §10903 Is Not Necessary to Carry Out the Rail Transportation Policy

Detailed scrutiny of this transaction is not necessary to carry out the rail transportation policy. An exemption would minimize the unnecessary expense associated with the preparation and filing of a formal abandonment application, expedite regulatory decisions and reduce regulatory barriers to exit. 49 U.S.C. §10101 (2) and (7). Not only would abandonment foster the goals of the rail transportation policy, but regulation would be reduced if two otherwise unnecessary active at-grade crossing devices were not installed. The abandonment by CSXT will

¹ CSXT is not seeking an exemption from 49 U.S.C. §10904. However, because of the lack of traffic and the local needs, CSXT does not believe there is a reasonable prospect for future traffic on the Line.

result in no loss of rail service. There will be no traffic on the Line to cover the costs of maintenance.

Granting this exemption, therefore, fosters sound economic conditions and encourages efficient management by permitting the rationalization of an unnecessary rail line. 49 U.S.C. §10101 (3), (5) and (9). “An exemption would also foster sound economic conditions and encourage efficient management by relieving [the railroad] of the out-of-pocket expenses ... associated with retaining the underutilized line [49 U.S.C. 10101(5) and (9)].”²

Other aspects of the rail transportation policy are not adversely affected. For example, competition and the continuation of a sound rail transportation system are not affected since the public will not be deprived of any needed rail services.

B. This Transaction Is Of Limited Scope

The proposed transaction is of limited scope. CSXT seeks to abandon a 0.31-mile line in one county in Georgia.

C. This Transaction Will Not Result In An Abuse Of Market Power.

CSXT is abandoning the Line. There are no active shippers on the Line and no overhead traffic using the Line. The shipper nearest to the Line will continue to be served by CSXT over a regulated line of railroad.

ENVIRONMENTAL REPORT

An Environmental Report is in Exhibit B.

HISTORIC REPORT

A Historic Report is in Exhibit C.

FEDERAL REGISTER NOTICE

A draft Federal Register notice is attached hereto as Exhibit D.

LABOR PROTECTION

The interests of railroad employees of CSXT 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).

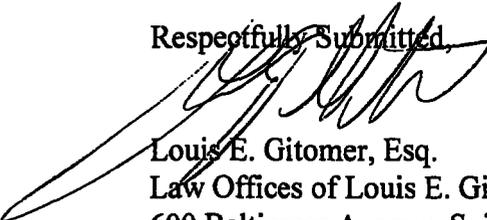
CONCLUSION

Application of the regulatory requirements and procedures of 49 U.S.C. §10903 to the abandonment of the Line proposed by CSXT is not required to carry out the rail transportation policy set forth in 49 U.S.C. §10101, as previously shown. Nor is Board regulation required to protect shippers from the abuse of market power. Moreover, this abandonment is of limited scope.

Accordingly, CSXT respectfully urges the Board to grant an exemption for the proposed abandonment of the Line. CSXT also respectfully requests the Board to expeditiously grant this abandonment so that it will become effective by August 1, 2009.

Respectfully Submitted,

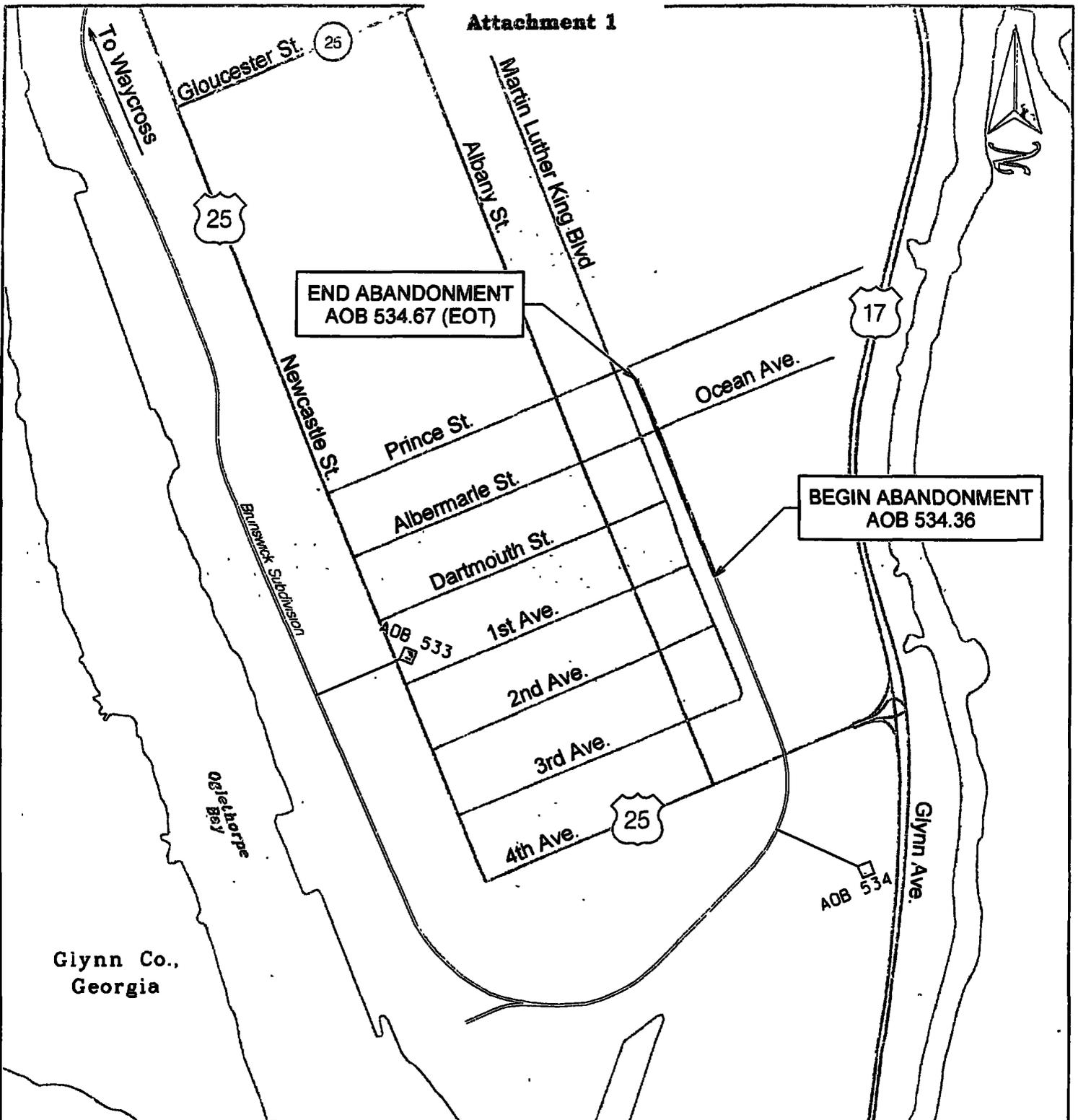
Steven Armbrust, Esq.
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500 Water Street
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(904) 359-1229


Louis E. Gitomer, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(202) 466-6532
Attorneys for: CSX TRANSPORTATION,
INC.

Dated: May 22, 2009

² *Georgia Southwestern Railroad, Inc.—Abandonment and Discontinuance Exemption—in Harris and Meriwether Counties, GA*, STB Docket No. AB-1000 (Sub-No. 1X) (STB served December 10, 2007) at 3.

EXHIBIT A-MAP



Glynn Co.,
Georgia

LEGEND

CSXT Operating Corridor
 Proposed Abandonment
 Total Distance = 0.31 Miles +/-

SOUTHERN REGION
 JACKSONVILLE DIVISION
 BRUNSWICK SUBDIVISION

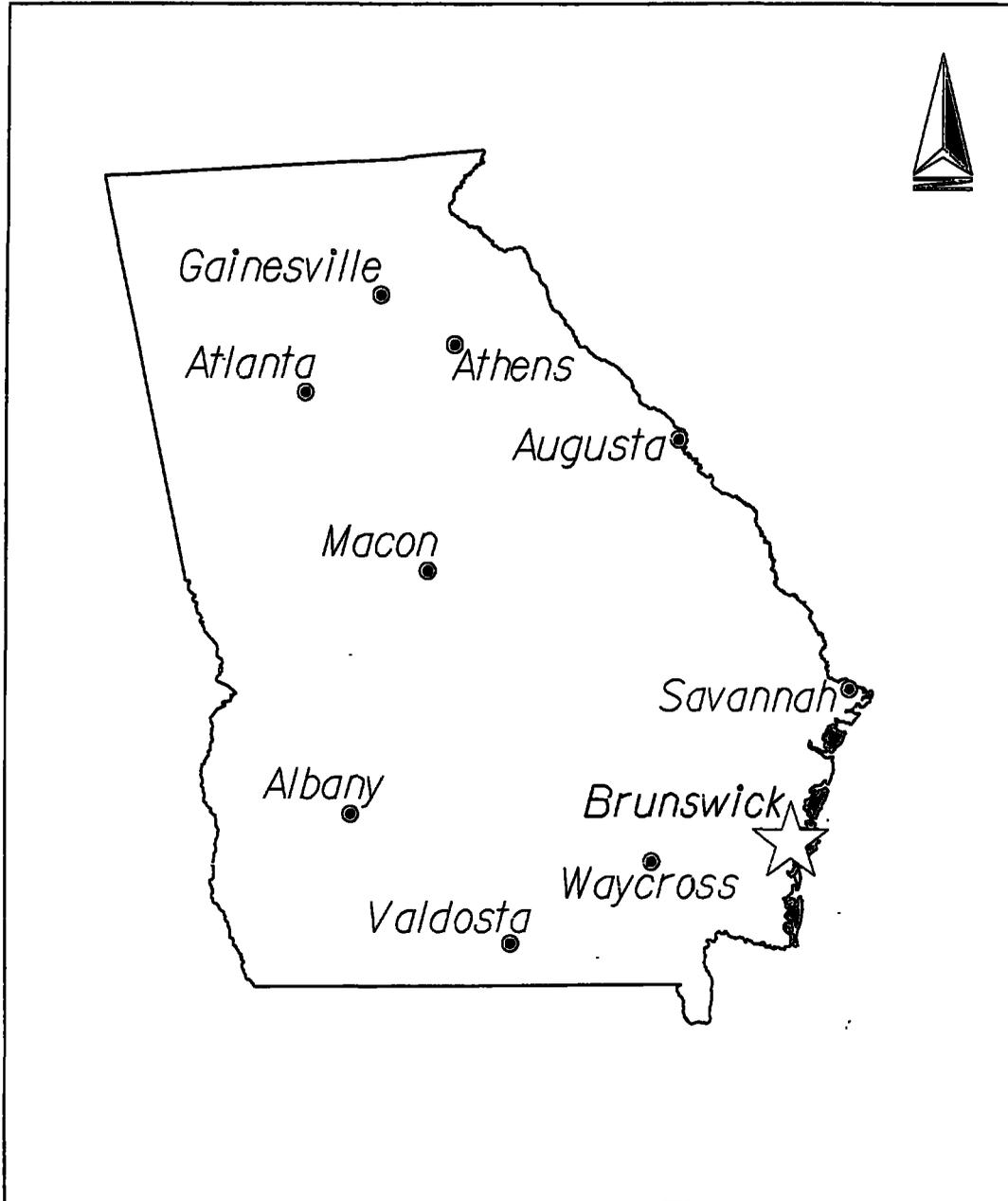
AOB 534.36 - AOB 534.67
 STB Docket No. AB55
 (Sub. No. 697X)
 NET RAT File: (GA46)

CSX TRANSPORTATION

**Proposed Abandonment of a
Portion of the Brunswick Sub.**

AOB 534.36 - AOB 534.67
 Glynn County, Georgia

SCALE: 1" = 1000 Feet
 Revised: April 3, 2009
 Drawn By: L. Fausch



AREA MAP

Proposed Abandonment of 0.92 Miles +/-
AOB 534.36 - AOB 534.67
STB Docket No. AB 55 - Sub. No. 697X
Glynn County, Georgia

EXHIBIT B-ENVIRONMENTAL REPORT

CERTIFICATE OF SERVICE OF ENVIRONMENTAL REPORT

Pursuant to the requirements of 49 C.F.R. §1105.7(c) and .11, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 697X) was mailed via first class mail on April 6, 2009 and May 21, 2009 to the following parties:

Mr. David Hanley, Director
Glynn County Community Development
700 Gloucester Street
Suite 200
Brunswick, GA 31520

U.S. Department of Interior
Fish & Wildlife Service
105 West Park Drive
Suite D
Athens, GA 30606

Mr. Roosevelt Harris, Jr.
Brunswick City Manager
PO Box 550
601 Gloucester Street
Brunswick, GA 31521-0550

USDA – NRCS
355 East Hancock Avenue
Athens, GA 30601

US Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Ms. Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW
8th Floor
Atlanta, GA 30334

Georgia Environmental Protection Division
2 Martin Luther King, Jr. Drive
Suite 1152 East Tower
Atlanta, GA 30334

National Park Service
Southeast Region
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

US Army Corps of Engineers
Savannah District
PO Box 889
Savannah, GA 31402-0889

Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523



Louis E. Gitomer
May 22, 2009

External Distribution List
AB 55 Sub No. 697X
Brunswick, Glynn County, Georgia

Mr. David Hainley, Director
Glynn County Community Development
700 Gloucester Street
Suite 200
Brunswick, GA 31520

Mr. Roosevelt Harris, Jr.
Brunswick City Manager
PO Box 550
601 Gloucester Street
Brunswick, GA 31521-0550

United States Environmental Protection
Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334

U.S. Army Corps of Engineers
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Atlanta, GA 30303

Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523

DOC/NOAA
National Geodetic Survey N/NGS23
(Via Email)



500 Water Street – J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager –Network Rationalization

May 21, 2009

Mr. David Hainley, Director
Glynn County Community Development
700 Gloucester Street
Suite 200
Brunswick, GA 31520

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear Mr. Hainley:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

With the exception of the type of filing and docket number, the proposed filing is identical to Docket AB 55 Sub No. 685X which was filed on May 1, 2009 and subsequently denied by the Board on May 14, 2009. No substantive changes have been made.

Attached is the Environmental Report describing the proposed action and any expected environmental effects as previously provided. If you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address or you may contact the Section of Environmental Analysis (SEA), Surface Transportation Board directly at 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0245 and refer to the above Docket Number.

Sincerely,

Attachments

Copy: STB – SEA, 395 E Street SW, Washington, DC 20423-0001



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geracl@CSX.com

Dave Geraci
Manager -Network Rationalization

May 21, 2009

Mr. Roosevelt Harris, Jr.
Brunswick City Manager
PO Box 550
601 Gloucester Street
Brunswick, GA 31521

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear Mr. Harris:

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Dave Geraci
Manager –Network Rationalization

May 21, 2009

United States Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear US EPA Region 4:

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E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager -Network Rationalization

May 21, 2009

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear Georgia Environmental Protection Division:

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FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager –Network Rationalization

May 21, 2009

U.S. Army Corps of Engineers
Savannah District
PO Box 889
Savannah, GA 31402-0889

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear USACE:

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Phone: (904) 633-1068
FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager -Network Rationalization

May 21, 2009

U.S. Department of the Interior
Fish & Wildlife Service
105 West Park Drive
Suite D
Athens, GA 30606

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear US Fish & Wildlife Service:

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Manager –Network Rationalization

May 21, 2009

USDA – NRCS
355 East Hancock Avenue
Athens, GA 30601

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear USDA – NRCS:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

With the exception of the type of filing and docket number, the proposed filing is identical to Docket AB 55 Sub No. 685X which was filed on May 1, 2009 and subsequently denied by the Board on May 14, 2009. No substantive changes have been made.

Attached is the Environmental Report describing the proposed action and any expected environmental effects as previously provided. If you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address or you may contact the Section of Environmental Analysis (SEA), Surface Transportation Board directly at 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0245 and refer to the above Docket Number.

Sincerely,

Attachments

Copy: STB – SEA, 395 E Street SW, Washington, DC 20423-0001



500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 21, 2009

Ms. Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW
8th Floor
Atlanta, GA 30334

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear Ms. Jackson:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

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Sincerely,

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500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager -Network Rationalization

May 21, 2009

National Park Service
Southeast Region
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear NPS:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

With the exception of the type of filing and docket number, the proposed filing is identical to Docket AB 55 Sub No. 685X which was filed on May 1, 2009 and subsequently denied by the Board on May 14, 2009. No substantive changes have been made.

Attached is the Environmental Report describing the proposed action and any expected environmental effects as previously provided. If you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address or you may contact the Section of Environmental Analysis (SEA), Surface Transportation Board directly at 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0245 and refer to the above Docket Number.

Sincerely,

Attachments

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500 Water Street – J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager –Network Rationalization

May 21, 2009

Georgia Department of Natural Resources
Coastal Resources Division
One Conservation Way
Suite 300
Brunswick, GA 31520

RE: CSX Transportation, Inc.
Proposed Abandonment
Docket No. AB-55 (Sub No. 697X)

Dear Coastal Resources Division:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

With the exception of the type of filing and docket number, the proposed filing is identical to Docket AB 55 Sub No. 685X which was filed on May 1, 2009 and subsequently denied by the Board on May 14, 2009. No substantive changes have been made.

Attached is the Environmental Report describing the proposed action and any expected environmental effects as previously provided. If you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact me directly by telephone at (904) 633-1068, by e-mail or U.S. mail at the above address or you may contact the Section of Environmental Analysis (SEA), Surface Transportation Board directly at 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0245 and refer to the above Docket Number.

Sincerely,

Attachments

Copy: STB – SEA, 395 East Street SW, Washington, DC 20423-0001

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC. BRUNSWICK, GLYNN COUNTY, GEORGIA DOCKET AB-55 (SUB-NO. 697X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

(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.

CSX Transportation (CSXT) proposes to abandon 0.31 mile of rail line from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

The above referenced 0.31-mile line has not been used to directly serve a customer in over two years. In an effort to assist the City of Brunswick, Applicant has agreed to file this abandonment to allow for access to a new public school. Rail service will no longer be required on this line segment and no new rail oriented business is expected to develop.

Applicant has been advised and has confirmed that approximately one hundred and fifty feet (150') of the subject rail has been removed by outside forces without authorization.

Abandonment of this line will result in the removal of the remaining rail, crossties; subsequently, the operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. Further, lack of abandonment would require the construction of a new, highly traveled, public, at-grade crossing to allow access to the new public school. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2)

Further attached is a distribution list of all parties who have received a copy of this report. (See Attachment 3)

(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 this line. There will be no effect on existing regional or local transportation systems or 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.**

Applicant received a response dated April 5, 2009 from Mr. Roosevelt Harris, Jr. – Brunswick City Manager stating *“The City of Brunswick strongly endorses CSX Transportation’s application to abandon a portion of the railroad tracks which run parallel with and in the right-of-way of Martin Luther King Boulevard...”* (See Attachment 4)

Applicant has not received a response to its December 20, 2007 request to Mr. David Hainley, Director of Glynn County Community Development requesting information regarding this statement. (See Attachment 5)

Since the rail segment is being proposed for abandonment to support the City of Brunswick and their completion of a new public school, Applicant does not feel that the proposed action is inconsistent with any local land use plans.

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

Applicant received a response dated March 31, 2008 from the U.S. Department of Agriculture, Natural Resources Conservation Service for Brunswick, Georgia stating *“There is no prime or important state wide farm land in the area of the proposed rail line abandonment.”* (See Attachment 6)

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

Applicant has not received a response to its December 20, 2007 request to the Georgia Department of Natural Resources – Coastal Resources Division in Brunswick, Georgia requesting information regarding this statement. (See Attachment 7)

Since the proposed action is the simple removal of rail, crossties and possibly the upper layer of ballast, Applicant believes that the proposed action will not have an adverse impact on land or water uses within any designated 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.**

The properties proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

(4) ENERGY

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

Removal of this redundant line will have no adverse impact on the current or future transportation of energy resources.

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

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

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

The proposed action will not result in an increase or decrease in overall energy efficiency.

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

There will be no diversion 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% (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% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% 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.

The above thresholds will not be exceeded.

- (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 restriction); 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.

Not applicable.

(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.

The above thresholds will not be exceeded.

(7) SAFETY

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

Applicant believes that the abandonment will result in improvement to public safety by the elimination of the need to construct a new, highly traveled, public, at-grade crossing to allow access to a new public school.

- (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.**

Not applicable.

- (iii) If there are any known hazardous waste sites or sites where there have been known hazardous material spills on the right of way, identify the location of those sites and the types of hazardous materials involved.**

Applicant's records do not indicate any known hazardous material spills or hazardous waste sites.

(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.**

Applicant received a response dated January 7, 2008 from the U.S. Department of the Interior – Fish and Wildlife Service in Athens, Georgia stating *“Based on available information federally listed species are not likely to occur on the project site.”* (See Attachment 8)

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

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

(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.**

Applicant has not received a response to its December 20, 2007 request to the Georgia Department of Environmental Protection in Atlanta, Georgia requesting information regarding this statement. (See Attachment 9)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (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.**

Applicant received a response dated August 18, 2008 from the U.S. Army Corps of Engineers in Savannah, Georgia stating *"...based on this information obtained in this letter, no permit is required from this office for the work that is planned for the abandonment of this portion of rail line."* (See Attachment 10)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do 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 rail 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, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

Applicant has not received a response to its December 20, 2007 request to the U.S. Environmental Protection Agency State Office Atlanta, Georgia, requesting information regarding this statement. (See Attachment 11)

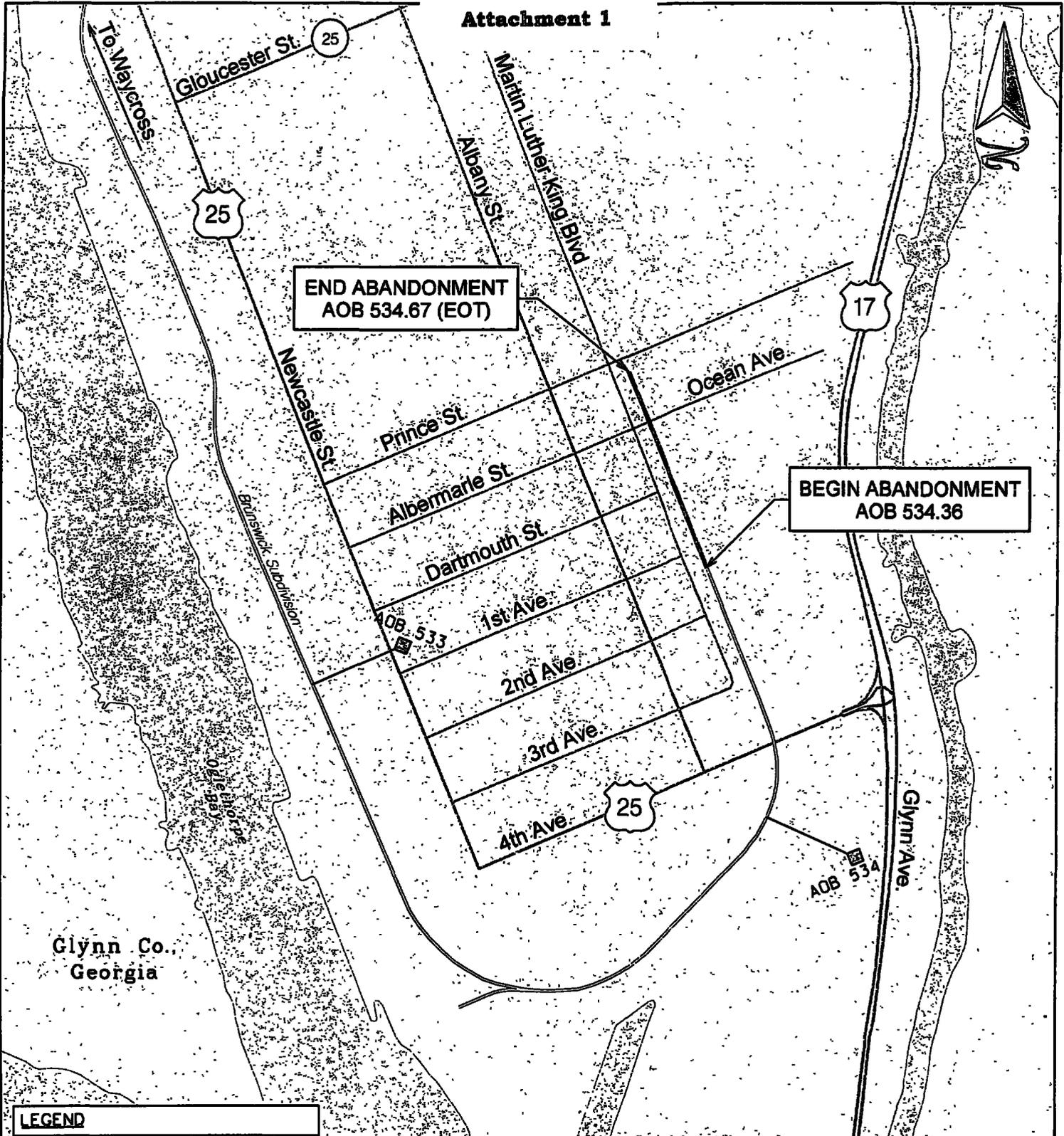
Based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

10. MITIGATION

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

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this abandonment. However, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required.

Attachment 1



**END ABANDONMENT
AOB 534.67 (EOT)**

**BEGIN ABANDONMENT
AOB 534.36**

Glynn Co.,
Georgia

LEGEND

— CSXT Operating Corridor
 - - - Proposed Abandonment
 Total Distance = 0.31 Miles +/-

SOUTHERN REGION
 JACKSONVILLE DIVISION
 BRUNSWICK SUBDIVISION

AOB 534.36 - AOB 534.67
 STB Docket No. AB55
 (Sub. No. 697X)
 NET RAT File: (GA46)



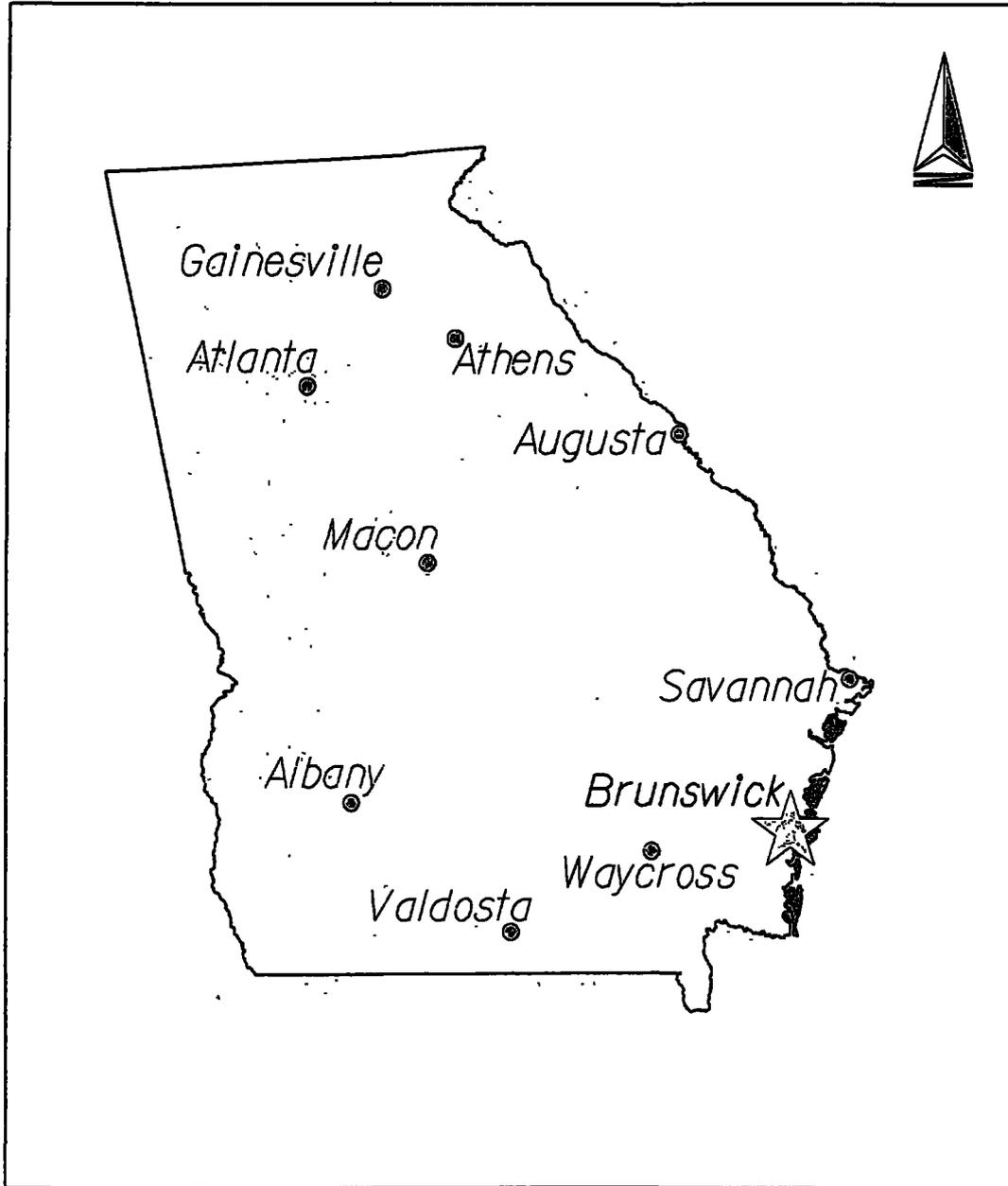
**Proposed Abandonment of a
 Portion of the Brunswick Sub.**

AOB 534.36 - AOB 534.67
 Glynn County, Georgia



SCALE: 1" = 1000 Feet

Revised: April 3, 2009
 Drawn By: L. Fenwick



AREA MAP

Proposed Abandonment of 0.92 Miles +/-
AOB 534.36 - AOB 534.67
STB Docket No. AB 55 - Sub. No. 697X
Glynn County, Georgia

**External Distribution List
AB 55 Sub No. 697X
Brunswick, Glynn County, Georgia**

**Mr. David Hainley, Director
Glynn County Community Development
700 Gloucester Street
Suite 200
Brunswick, GA 31520**

**Mr. Roosevelt Harris, Jr.
Brunswick City Manager
PO Box 550
601 Gloucester Street
Brunswick, GA 31521-0550**

**United States Environmental Protection
Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104**

**Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334**

**U.S. Army Corps of Engineers
Savannah District
PO Box 889
Savannah, GA 31402-0889**

**U.S. Department of the Interior
Fish & Wildlife Service
105 West Park Drive
Suite D
Athens, GA 30606**

**USDA - NRCS
355 East Hancock Avenue
Athens, GA 30601**

**Ms. Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW
8th Floor
Atlanta, GA 30334**

**National Park Service
Southeast Region
100 Alabama Street, SW
1924 Building
Atlanta, GA 30303**

**Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523**

**DOC/NOAA
National Geodetic Survey N/NGS23
(Via Email)**

Attachment 4

CITY OF BRUNSWICK

POST OFFICE BOX 550 • BRUNSWICK, GA 31521-0550 • (912) 267-5500 • FAX (912) 267-5549

Bryan Thompson, Mayor
Mark A. Spaulding, Mayor Pro Tem
James H. Brooks, Sr., Commissioner
Jonathan L. Williams, Commissioner
Cornell L. Harvey, Commissioner

City Attorney
M. Lynn Frey, III

City Manager
Roosevelt Harris, Jr.

April 5, 2009

**Mr. Dave Geraci, Manager
Network and Joint Facility Services
CSX Transportation
500 Water Street
Jacksonville, FL 32202**

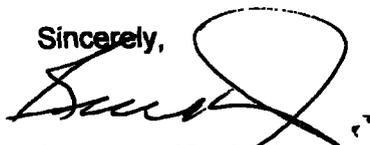
Dear Mr Geraci:

The City of Brunswick strongly endorses CSX Transportation's application to abandon a portion of the railroad tracks which run parallel with and in the right-of-way of Martin Luther King Boulevard between Second Avenue and Ocean Boulevard/Albemarle Avenue.

As you know, the Glynn County School Board is building the new Glynn Middle School adjacent to this right-of-way and needs to have this track abandoned so the City of Brunswick can extend First Avenue across Martin Luther King Boulevard and the railroad right-of-way to provide for school bus traffic. The new school is set to open on August 3, 2009 so time is a critical factor.

Your efforts to expedite this action are greatly appreciated. If there is anything that the City of Brunswick can do to help you in this endeavor, please contact me at 912-267-5500.

Sincerely,



**Roosevelt Harris, Jr.
City Manager**

RHJR:dcm

**Xc: Mayor and Commissioners
City Attorney
City Engineer**

CITY OF BRUNSWICK

POST OFFICE BOX 550 • BRUNSWICK, GA 31521-0550 • (912) 267-5500 • FAX (912) 267-5549

Bryan Thompson, Mayor
Mark A. Spaulding, Mayor Pro Tem
James H. Brooks, Sr., Commissioner
Jonathan L. Williams, Commissioner
Cornell L. Harvey, Commissioner

City Attorney
M. Lynn Frey, III

City Manager
Roosevelt Harris, Jr.

April 7, 2009

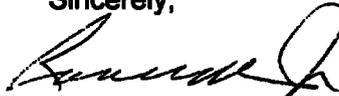
**Mr. Dave Geraci, Manager
Network and Joint Facility Services
CSX Transportation
500 Water Street
Jacksonville, FL 32202**

Dear Mr Geraci:

Attached to this letter is an executed copy of the CSXT Environmental Report Response Form for STB Docket Number AB 55 Sub No. 685X. As you can see from the form, there will be no environmental impact.

Your continued efforts to expedite this action are greatly appreciated. If there is anything that the City of Brunswick can do to help you in this endeavor, please contact me at 912-267-5500.

Sincerely,



**Roosevelt Harris, Jr.
City Manager**

RHJR:dcm

**Xc: Mayor and Commissioners
City Attorney
City Engineer**

CSXT Environmental Report Response Form

STB Docket Number AB 55 Sub No. 685X

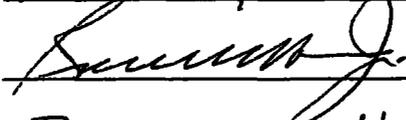
Notice of Exemption from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

Agency response (check one):

No Environmental Impact

Environmental Impact as follows (or attached):

Date: APRIL 7, 2009

Signature: 

Name: ROOSEVELT HARRIS, JR

Title: CITY MANAGER
CITY OF BRUNSWICK, GA.



Attachment 5

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1000
FAX: (904) 246-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

December 20, 2007

Mr. David Hainley, Director
Glynn County Community Development
700 Gloucester Street
Suite 200
Brunswick, GA 31520

Dear Mr. Hainley:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(i) require that CSXT develop a response to the following statement:

"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."

CSXT would appreciate your advice as to the existence of a long-range comprehensive planning map for Glynn County and the line's relationship to such planning.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachment

United States Department of Agriculture



Natural Resources Conservation Service
355 East Hancock Avenue
Athens, Georgia 30601
Telephone: 706-546-2272 Fax: 706-546-2120

Attachment 6

March 31, 2008

Mr. Dave Geraci
Manager – Network Rationalization
500 Water Street –J200
Jacksonville, FL 32202

Re: CSX Transportation rail line abandonment, Railroad Milepost AOP 533.75 to Railroad Milepost AOP 534.67 in Glynn County, Georgia

Dear Mr. Geraci:

This reply is to the request for the possible effect of Important (Prime or Statewide) Agriculture Land in area of the proposed rail line abandonment for the above location.

There is no prime or important state wide farm land in the area of the proposed rail line abandonment.

If you need additional information, please contact me at (706) 546-2278.

Sincerely,

A handwritten signature in black ink that reads "Edward P. Ealy".

EDWARD P EALY
State Soil Scientist

cc: David Ferrell, Assistant State Conservationist (FO), NRCS, Waycross, GA
Rita Barrow, District Conservationist, NRCS, Brunswick, GA



Attachment 7

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

December 20, 2007

**Georgia Department of Natural Resources
Coastal Resources Division
1200 Glynn Avenue
Brunswick, GA 31523**

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations require expanded environmental information in connection with rail lines, which are subject to abandonment. One of these is to determine if a designated coastal zone management area is involved, and, if so, if the proposed action is consistent with the affected State's Coastal Zone Management Program.

CSXT would appreciate your advising if the removal of the rail would have an effect on your program. It is CSXT's intention to simply remove the metal material from the top layer of gravel ballast, and to preserve the existing routes of water flow and drainage. CSXT does not anticipate any dredging or use of fill in the removal of the track material.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachment

Attachment 8

JAN 4 2007



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 693-1068
FAX: (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

December



U. S. Fish and Wildlife Service
Georgia Ecological Services
105 West Park Drive, Suite D, Athens, Georgia 30606
Phone: (706) 613-9493 Fax: (706) 613-4899

U.S. Department of the Interior
Fish & Wildlife Service
105 West Park Drive
Suite D
Athens, GA 30606

Based upon available information federally listed species are not likely to occur on the project site.

Shirley Colwell 1-7-08
Shirley S. Tucker, Field Supervisor Date

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia as depicted on the attached map.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (b) (i) and (ii) require that CSXT develop responses to 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 or refuges, National or State parks or forests will be affected, and describe any effects.

The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do 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 rail 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. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachment



Attachment 9

600 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

December 20, 2007

Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive
Suite 1152 East Tower
Atlanta, Georgia 30334

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(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."

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

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do 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 rail 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. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

Attachment

Attachment 10



**DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31402-0889**

Regulatory Division
200800034

18 August 2008

CSX Transportation
Attn: Dave Geraci
500 Water Street - J200
Jacksonville, Florida 32202

Dear Mr. Geraci:

This is in reference to the proposed abandonment of a portion of rail line from Railroad Milepost AOB 533.75 to the end of track and Railroad Milepost AOB 534.67 in the City of Brunswick, Glynn County, Georgia. This project has been assigned number 200800034. Please refer to this number in any future correspondence.

In a December 20, 2007 letter, it was described that removing metal track material, crossties, and the upper layer of ballast is going to be performed in a manner that will not impact any waters of the United States (US). Activities that do not impact waters of the US may not require authorization from this office. Therefore based on this information obtained in this letter, no permit is required from this office for the work that is planned for the abandonment of this portion of rail line.

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state or local laws, or regulations. It does not obviate your requirement to obtain state or local assent required by law for the development of this property. If the information you have submitted, and on which the US Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

Please be aware, the US Army Corps of Engineers has been charged by Congress, under Section 404 of the Clean Water Act (33 U.S.C. 1344) with the responsibility to regulate all construction and fill activities performed in waters of the US and their adjacent wetland areas. Any discharge of dredged or fill material into wetlands or waters of the United States for access roads, lot grading, excavation, mechanized land-clearing, walkways, sewer lines, side-cast from ditches, or any other purpose without prior approval, constitutes a violation of Section 404. Wetlands associated with your property are subject to the jurisdiction of this Section.

Should you have any questions regarding this matter, please call me at (912) 652-5018.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony D. Jernigan".

Anthony D. Jernigan
Regulatory Specialist, Coastal Branch



Attachment 11

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 633-1068
FAX: (904) 248-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

December 20, 2007

United States Environmental Protection Agency
Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-3104

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

(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."

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

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do 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 rail 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. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

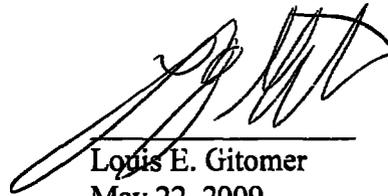
Attachment

EXHIBIT C-HISTORIC REPORT

CERTIFICATE OF SERVICE OF HISTORIC REPORT

Pursuant to the requirements of 49 C.F.R. §1105.8(c) and .11, the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 697X) was mailed via first class mail on December 20, 2007 and May 21, to the following party:

Mr. Noel A. Holcomb, SHPO
Historic Preservation Division/DNR
34 Peachtree Street NW Suite 1600
Atlanta, GA 30303-2316



Louis E. Gitomer
May 22, 2009



500 Water Street ~ J200
Jacksonville, FL 32202
Tel. (904) 633-1068
Fax (904) 245-2226
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 21, 2009

Ms. Elizabeth Shirk
Georgia Historic Preservation Division/DNR
34 Peachtree Street NW
Suite 1600
Atlanta, GA 30303-2316

RE: CSXT Proposed Line Abandonment
Brunswick, Glynn County, Georgia
Docket AB-55 (Sub-No. 697X)

Dear Ms. Shirk:

Please be advised that on May 22, 2009, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board (Board) a Petition for Exemption seeking authority to abandon 0.31 mile of railroad from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

With the exception of the type of filing and docket number, the proposed filing is identical to Docket AB 55 Sub No. 685X which was filed on May 1, 2009 and subsequently denied by the Board on May 14, 2009. No substantive changes have been made. Enclosed are copies of the original Historic Report, as well as the response dated April 6, 2009 from Ms. Karen Anderson-Cordova stating "no adverse effect."

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

Since there are no structures on the subject line that are 50 years old or older, I would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources. Please do not hesitate to contact me should you have any questions.

Sincerely,

Attachment

Cc: STB - SEA, 395 E Street SW, Washington, DC 20423
Mr. Steve Armbrust, CSXT, 500 Water St. - J150, Jacksonville, FL 32202
Mr. Lou Gitomer, 600 Baltimore Ave, Suite 301, Towson, MD 21204

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
Brunswick, Glynn County, Georgia
Docket AB-55 (Sub-No. 697X)**

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.

CSX Transportation (CSXT) proposes to abandon 0.31 mile of rail line from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

The above referenced 0.31-mile line has not been used to directly serve a customer in over two years. In an effort to assist the City of Brunswick, Applicant has agreed to file this abandonment to allow for access to a new public school. Rail service will no longer be required on this line segment and no new rail oriented business is expected to develop.

Applicant has been advised and has confirmed that approximately one hundred and fifty feet (150') of the subject rail has been removed by outside forces without authorization.

Abandonment of this line will result in the removal of the remaining rail, crossties; subsequently, the operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. Further, lack of abandonment would require the construction of a new, highly traveled, public, at-grade crossing to allow access to the new public school. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached.
(See Attachments 1 and 2)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an 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.**

Attached is a copy of the Brunswick East quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared. The line to be abandoned has been identified by a heavy black diagonal line. (See Attachment 3)

There are no CSXT-owned structures that are 50 years old or older, which may be eligible for listing in the National Register as a part of the proposed action.

- (2) A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way widths along this line is estimated at 100 feet from the center-line of track. The rail line traverses some industrial and urban community locations of Brunswick, Georgia

- (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:**

Not Applicable.

- (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:**

Not Applicable.

- (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 proposed for abandonment was originally acquired and constructed in 1931 by the Atlanta, Birmingham & Coast Railway Company (ABC). In 1946, the ABC was acquired by the Atlantic Coast Line Railroad (ACL), where the line was designated as the ACL's Western Division.

The ACL was incorporated on March 14, 1836, as the Richmond and Petersburg Railroad Company, and on April 23, 1900, the name was changed to Atlantic Coast Line Railroad Company.

From 1902 through 1912, the ACL merged with a number of small railroads extending from Virginia to Florida. Four more mergers occurred during and immediately after World War II, and two in the 1950's. At the time of the ACL's merger with the Charleston and Western Carolina in 1959, the railroad owned 5,325 miles of line and leased additional lines, for a system total of 5,742 miles. On July 1, 1967, the Seaboard Air Line (SAL) and ACL merged to form the Seaboard Coast Line (SCL). In 1972 The Family Lines was adopted to identify the Louisville and Nashville Railroad and the SCL. On November 1, 1980, Seaboard Coast Line Industries Inc. (which was formed in May 1969) and Chessie System Inc. merged and became CSX Corporation. On January 1, 1983, the merger of The Family Lines' affiliates formed the Seaboard System Railroad Inc., which name was changed on July 1, 1986 to CSX Transportation Inc.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (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:**

Not Applicable.

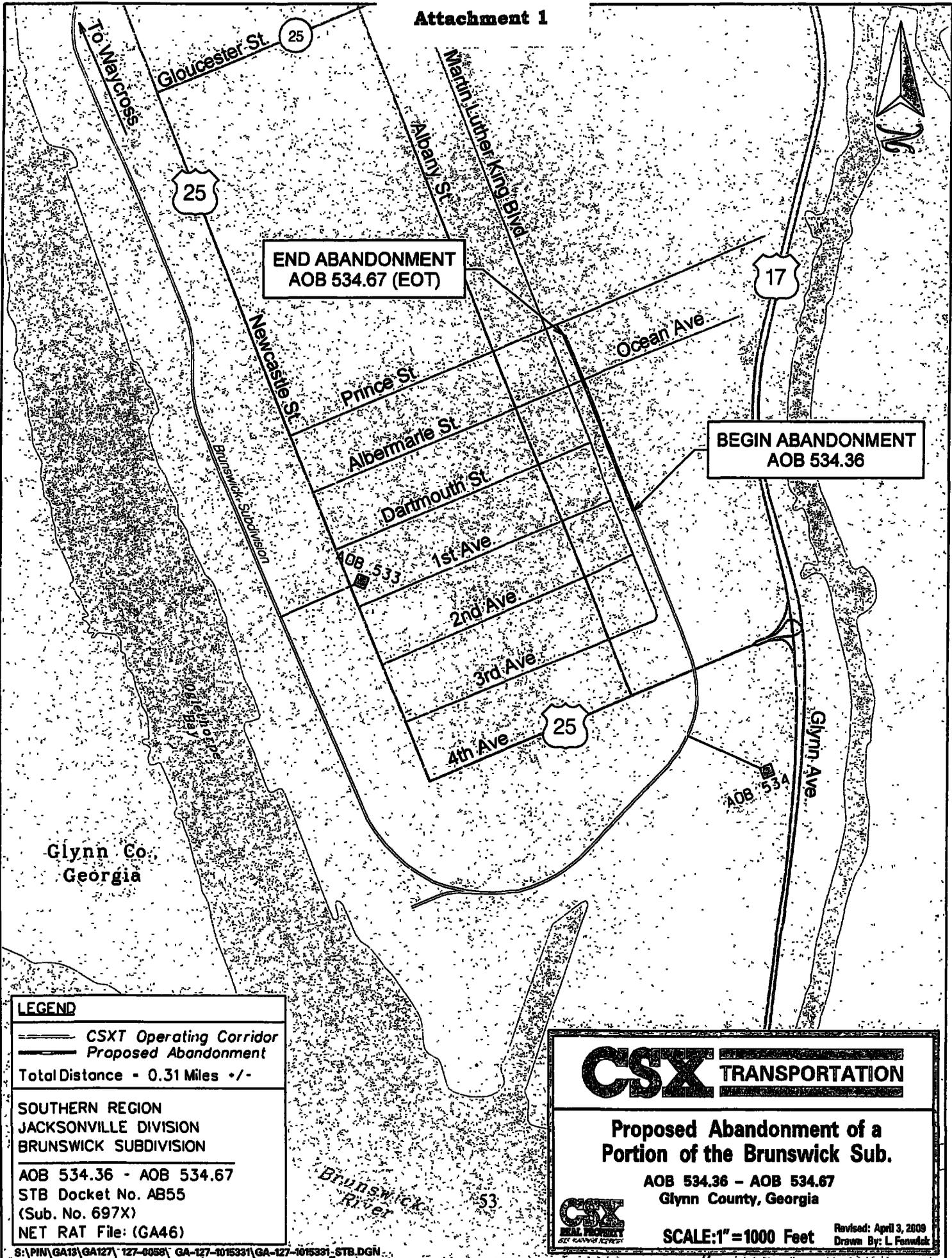
- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously 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):**

A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register.

- (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 man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

Attachment 1



Glynn Co.
Georgia

LEGEND

— CSXT Operating Corridor
 - - - Proposed Abandonment
 Total Distance - 0.31 Miles +/-

SOUTHERN REGION
 JACKSONVILLE DIVISION
 BRUNSWICK SUBDIVISION

AOB 534.36 - AOB 534.67
 STB Docket No. AB55
 (Sub. No. 697X)
 NET RAT File: (GA46)



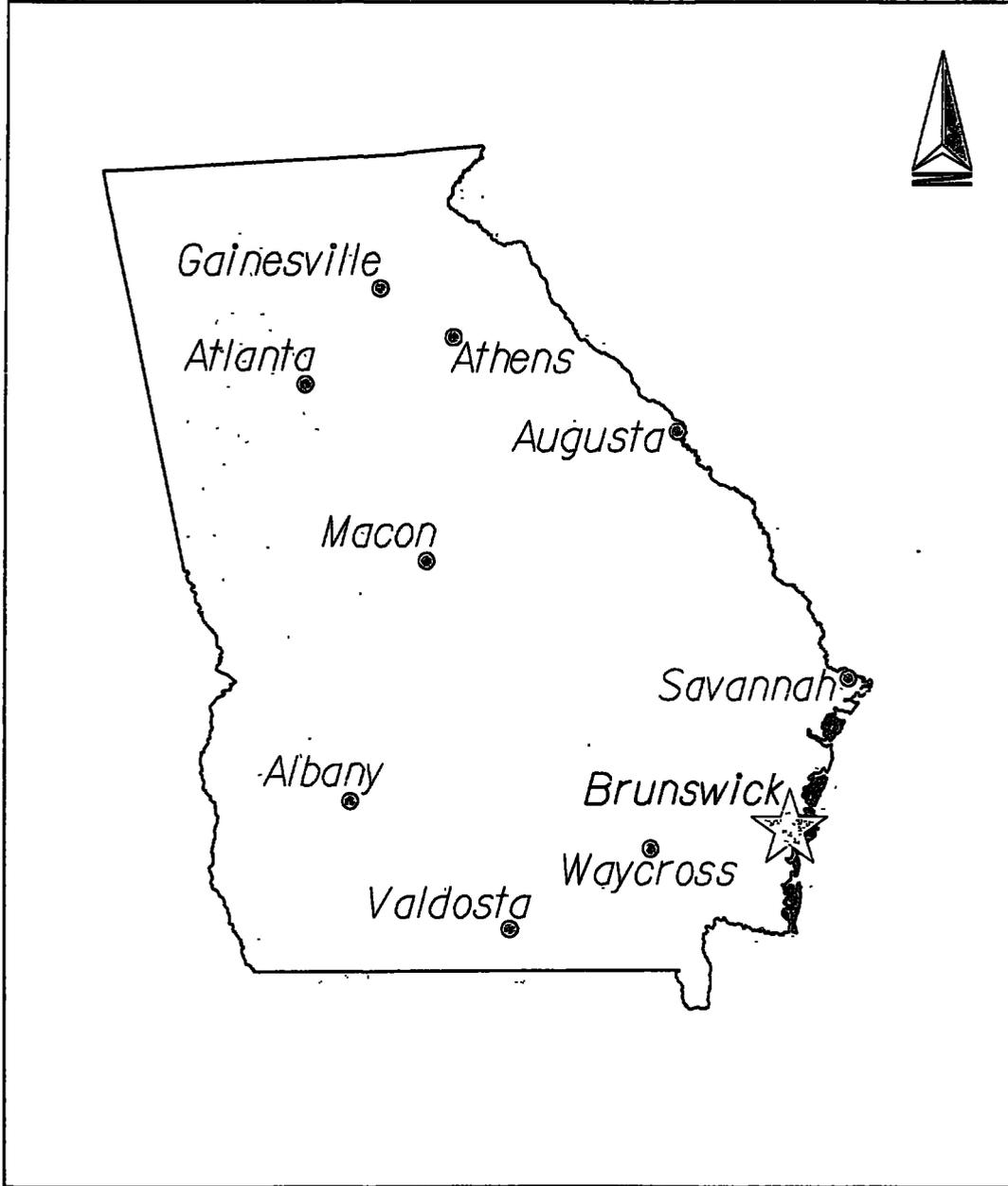
**Proposed Abandonment of a
 Portion of the Brunswick Sub.**

AOB 534.36 - AOB 534.67
 Glynn County, Georgia



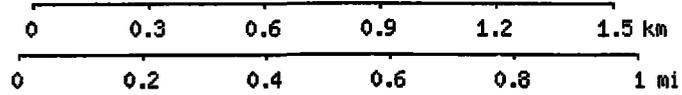
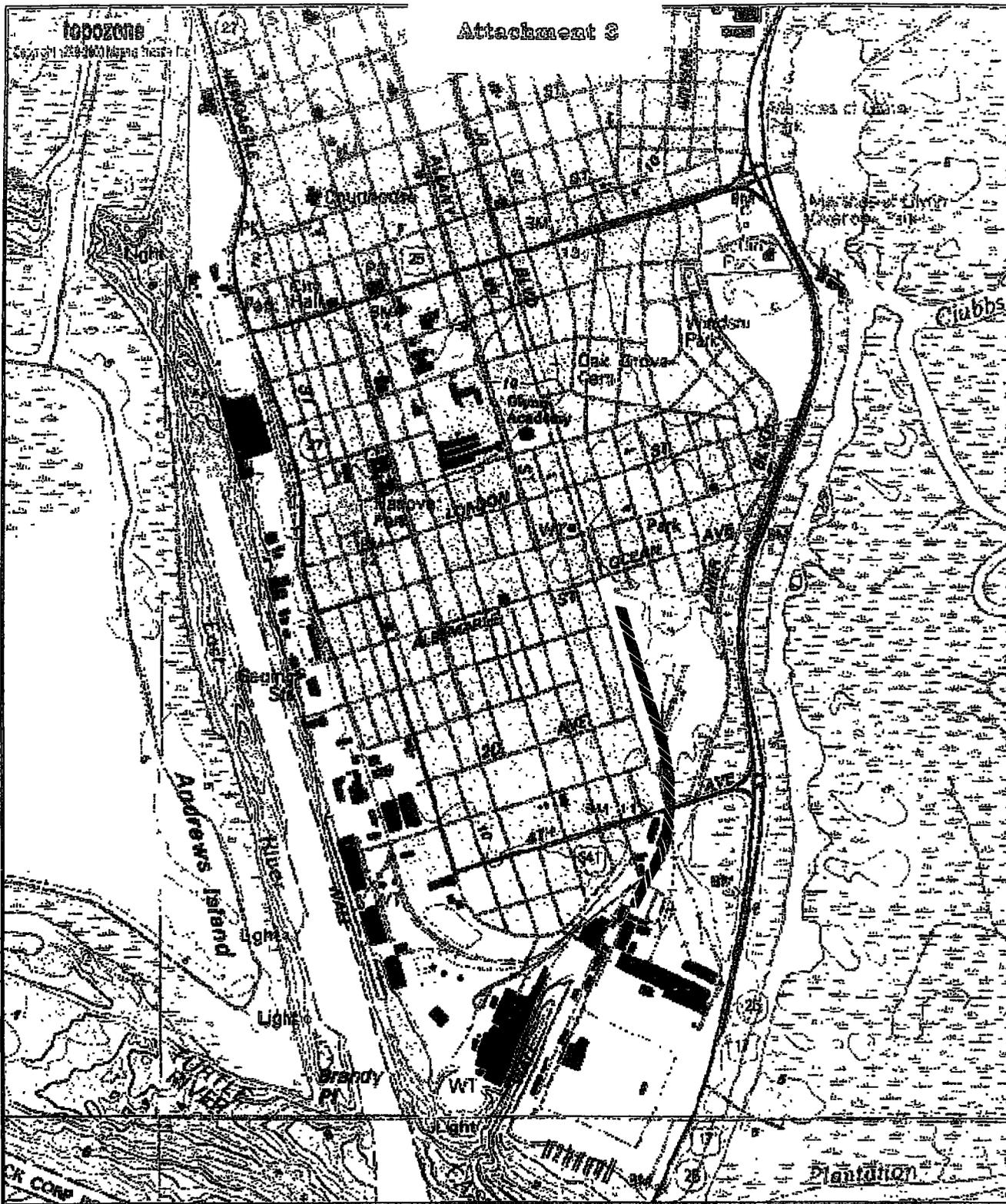
SCALE: 1" = 1000 Feet

Revised: April 3, 2009
 Drawn By: L. Fawcick



AREA MAP

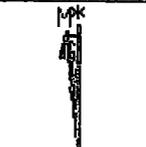
Proposed Abandonment of 0.92 Miles +/-
AOB 534.36 - AOB 534.67
STB Docket No. AB 55 - Sub. No. 697X
Glynn County, Georgia



UTM 17 453524E 3445278N (NAD83/WGS84)

Southside Church of God, USGS Brunswick East (GA) Quadrangle

Projection is UTM Zone 17 NAD83 Datum



M=-5.813

G=-0.252

Georgia Department of Natural Resources

Historic Preservation Division

Noel Holcomb, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street, NW, Suite 1600, Atlanta, Georgia 30303-2316
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

April 6, 2009

Dave Geraci
Manager-Network Rationalization
CSX Transportation
500 Water Street-J200
Jacksonville, Florida 32202

**RE: Rail Abandonment: .92 Miles, Brunswick
Glynn County, Georgia
HP-090403-015; Reference HP-071226-004**

Dear Mr. Geraci:

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

Based on the information contained in the submittal, HPD finds that the railroad corridor, originally the Atlanta, Birmingham & Coast Railway, is considered eligible for listing in the National Register of Historic Places (NRHP) under Criteria A and C for its significance in the development of Georgia in the areas of transportation and engineering. HPD finds that the proposed undertaking will have **no adverse effect** on the eligible rail corridor, as defined in 36 CFR Part 800.5(d)(1).

Please refer to project number **HP-090403-015** in any future correspondence regarding this undertaking. If we may be of further assistance, please do not hesitate to contact Elizabeth Shirk, Environmental Review Coordinator, at (404) 651-6624, or Jackie H. Tyson, Environmental Review Historian, at (404) 651-6777.

Sincerely,



Karen Anderson-Cordova
Manager, Planning and Local Assistance Unit

KAC: jht

cc: Jason Kotarski, Coastal Georgia RDC



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Tel. (904) 633-1088
Fax (904) 245-2228
E-Mail: Dave_Geraci@CSX.com

December 20, 2007

Mr. Noel A. Holcomb, SHPO
Historic Preservation Division/DNR
34 Peachtree Street NW
Suite 1600
Atlanta, GA 30303-2316

RE: CSXT Proposed Line Abandonment
Brunswick, Glynn County, Georgia
Docket AB-55 (Sub-No. 685X)

Dear Mr. Holcomb:

Please be advised that CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Petition for Exemption seeking authority to abandon 0.92-mile of railroad from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

Since there are no structures on the subject line that are 50 years old or older, I would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources. Please do not hesitate to contact me should you have any questions.

Sincerely,

Attachment

Copy: STB - SEA, 395 E Street SW, Washington, DC 20423
Mr. Steve Armbrust, CSXT, 500 Water St. - J150, Jacksonville, FL 32202
Mr. Lou Gitomer, 600 Baltimore Ave, Suite 301, Towson, MD 21204

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
Brunswick, Glynn County, Georgia
Docket AB-55 (Sub-No. 685X)**

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.

CSX Transportation (CSXT) proposes to abandon 0.92 mile of rail line from Railroad Milepost AOB 533.75 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

The above referenced 0.92-mile line has been used to serve two (2) customers: Glynn Iron and Steel and Jared LLC (now Par Jared). In an effort to redevelop this area of Brunswick, a developer has purchased the property and relocated the rail served customers. Rail service will no longer be required on this line segment, no new rail oriented business is expected to develop and the line is no longer required for operating purposes.

Abandonment of this line will result in the removal of the rail, crossties and three (3) at-grade crossings; subsequently, the operations and maintenance of this line will cease.

The only alternative would be not to abandon and to pass the operating loss and capital costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2)

1105.8(d)

- (1) A U.S.G.S. topographic map (or an 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.**

Attached is a copy of the Brunswick East quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared. The line to be abandoned has been identified by a heavy black diagonal line. (See Attachment 3)

There are no CSXT-owned structures that are 50 years old or older, which may be eligible for listing in the National Register as a part of the proposed action.

- (2) A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way widths along this line is estimated at 100 feet from the center-line of track. The rail line traverses some industrial and urban community locations of Brunswick, Georgia

- (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:**

Not Applicable.

- (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:**

Not Applicable.

- (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 proposed for abandonment was originally acquired and constructed in 1931 by the Atlanta, Birmingham & Coast Railway Company (ABC). In 1946, the ABC was acquired by the Atlantic Coast Line Railroad (ACL), where the line was designated as the ACL's Western Division.

The ACL was incorporated on March 14, 1836, as the Richmond and Petersburg Railroad Company, and on April 23, 1900, the name was changed to Atlantic Coast Line Railroad Company.

From 1902 through 1912, the ACL merged with a number of small railroads extending from Virginia to Florida. Four more mergers occurred during and immediately after World War II, and two in the 1950's. At the time of the ACL's merger with the Charleston and Western Carolina in 1959, the railroad owned 5,325 miles of line and leased additional lines, for a system total of 5,742 miles. On July 1, 1967, the Seaboard Air Line (SAL) and ACL merged to form the Seaboard Coast Line (SCL). In 1972 The Family Lines was adopted to identify the Louisville and Nashville Railroad and the SCL. On November 1, 1980, Seaboard Coast Line Industries Inc. (which was formed in May 1969) and Chessie System Inc. merged and became CSX Corporation. On January 1, 1983, the merger of The Family Lines' affiliates formed the Seaboard System Railroad Inc., which name was changed on July 1, 1986 to CSX Transportation Inc.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (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:**

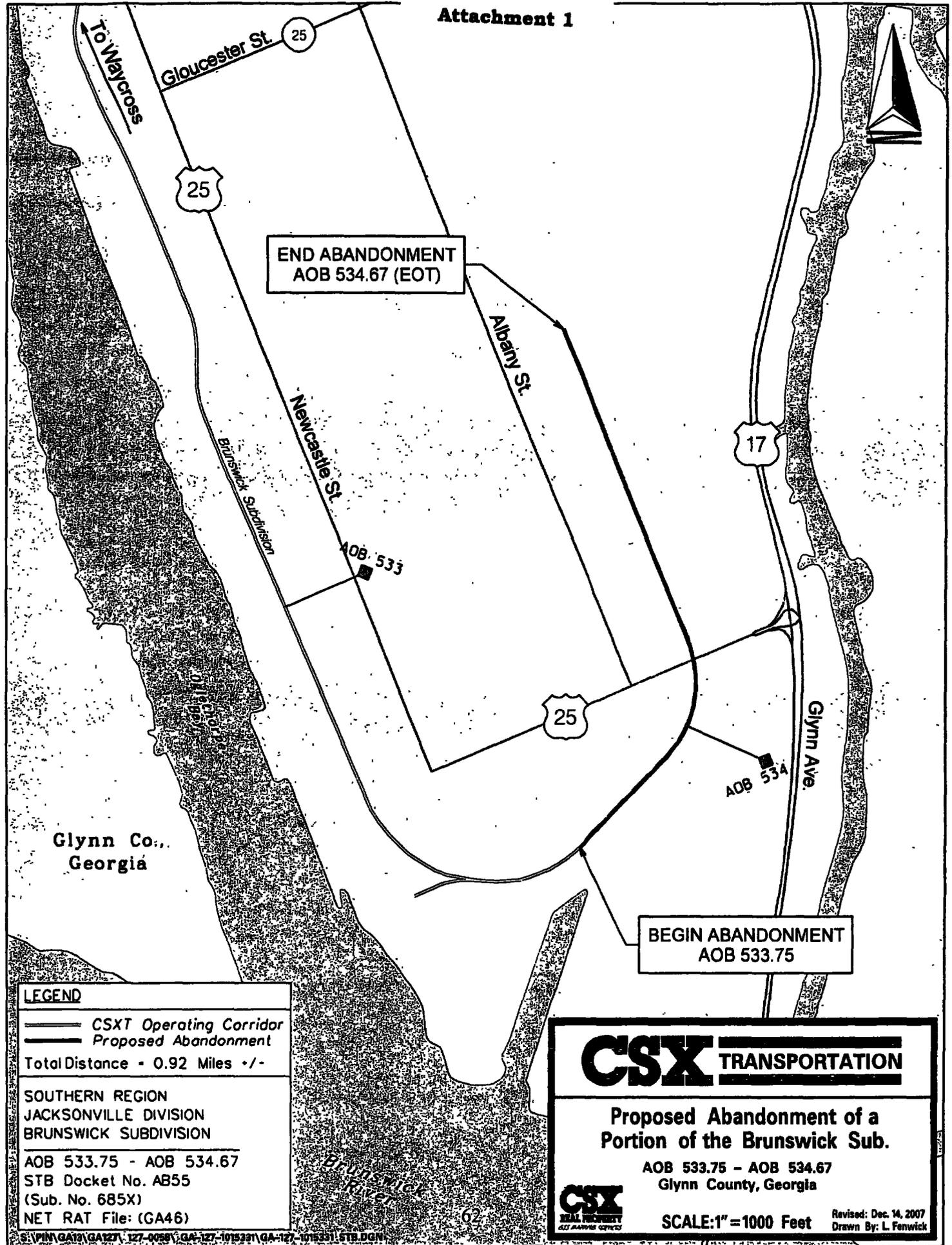
Not Applicable.

- (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):**

A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register.

- (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 man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.



Glynn Co., Georgia

LEGEND

 CSXT Operating Corridor
 Proposed Abandonment
 Total Distance - 0.92 Miles +/-

SOUTHERN REGION
 JACKSONVILLE DIVISION
 BRUNSWICK SUBDIVISION

AOB 533.75 - AOB 534.67
 STB Docket No. AB55
 (Sub. No. 685X)
 NET RAT File: (GA46)

S:\P\GA12\GA127-127-0058\GA-127-1015331\GA-127-1015331.STB.DGN

CSX TRANSPORTATION

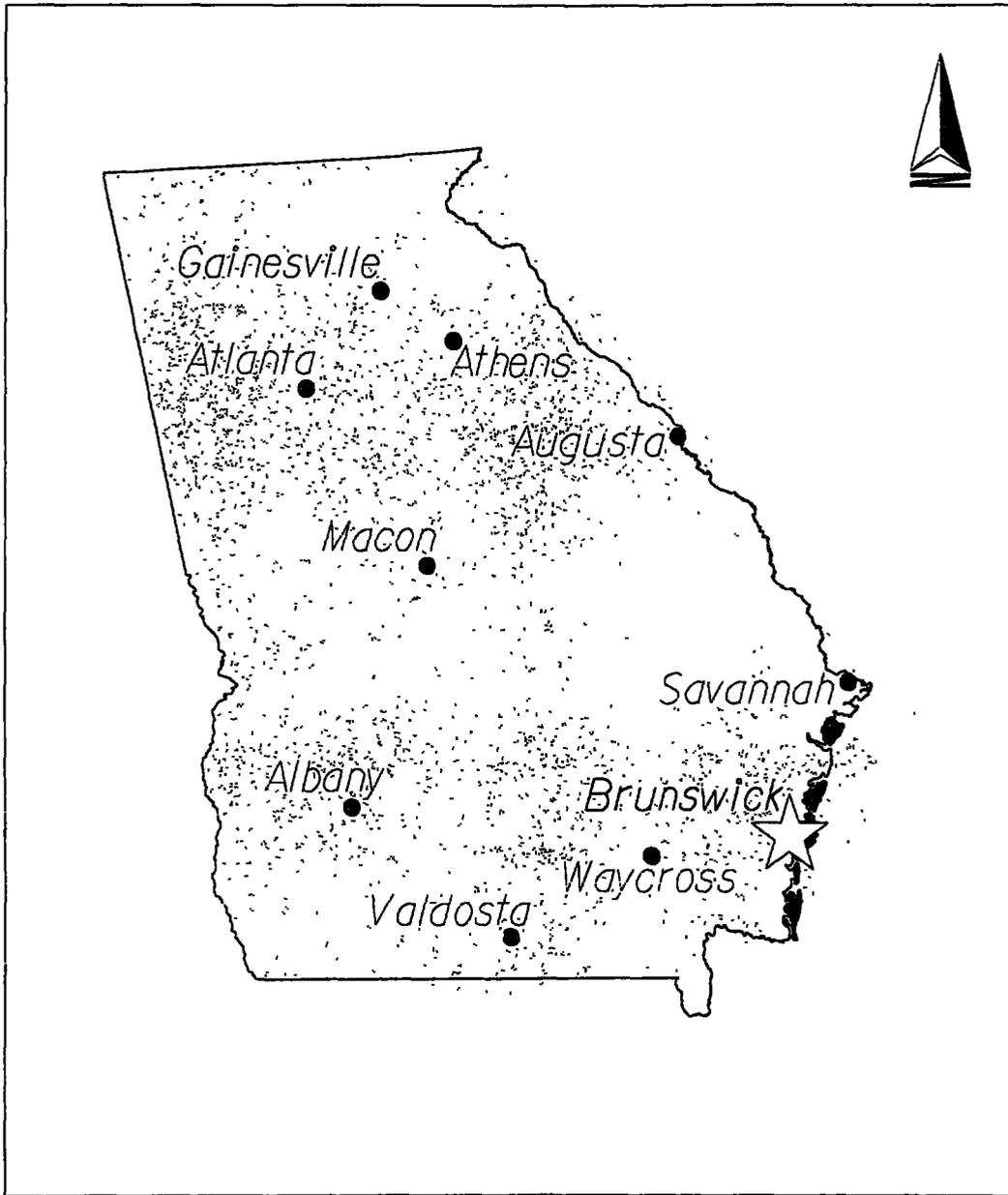
Proposed Abandonment of a Portion of the Brunswick Sub.

AOB 533.75 - AOB 534.67
Glynn County, Georgia



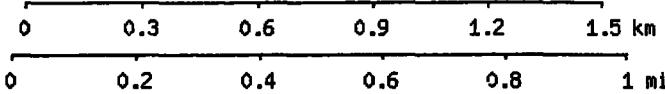
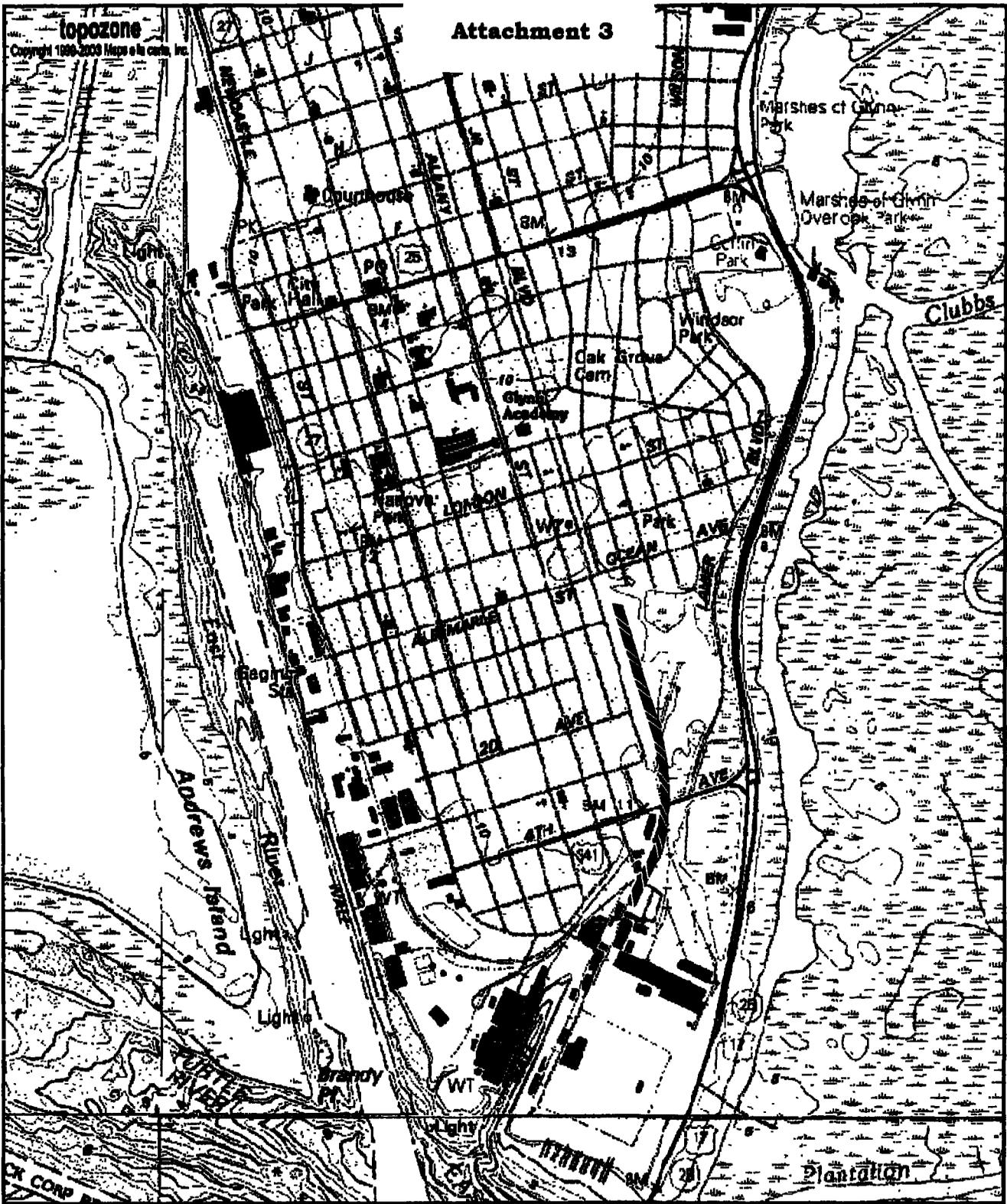
SCALE: 1" = 1000 Feet

Revised: Dec. 14, 2007
Drawn By: L. Fenwick



AREA MAP

Proposed Abandonment of 0.92 Miles +/-
AOB 533.75 - AOB 534.67
STB Docket No. AB 55 - Sub. No. 685X
Glynn County, Georgia



UTM 17 453524E 3445278N (NAD83/WGS84)

Southside Church of God, USGS Brunswick East (GA) Quadrangle
 Projection is UTM Zone 17 NAD83 Datum

Mk
 M=-5.813
 G=-0.252

EXHIBIT D—FEDERAL REGISTER NOTICE

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN GLYNN COUNTY, GA

Notice of Petition for Exemption to Abandonment

On May 22, 2009 CSX Transportation, Inc. ("CSXT") filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of a 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision between milepost AOB 534.36 and milepost AOB 534.67, all in Brunswick, GA, in Glynn County, GA, all of which traverses through United States Postal Service ZIP Code 31520 (the "Line"). The Line for which the abandonment exemption request was filed includes no stations.

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.

The interest of railroad employees of CSXT will be protected by *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

CSXT has requested the Board to expedite action on the proposed exemption so that if the exemption is granted, it will be effective on August 1, 2009.

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

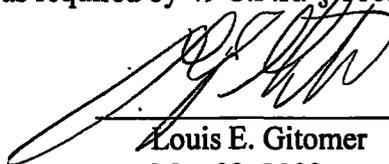
Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR Part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis. An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

EXHIBIT E-NEWSPAPER CERTIFICATION

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 697X) was advertised on May 21, 2009 in The Brunswick News, a newspaper of general circulation in Glynn County, GA, as required by 49 C.F.R. § 105.12.



Louis E. Gitomer
May 22, 2009

CSX Transportation, Inc. gives notice that on or about May 22, 2009 it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10505 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision between milepost AOB 534.36, and milepost AOB 534.67, all in Brunswick, GA, which traverses through United States Postal Service ZIP Code 31520 in Glynn County, GA (the "Line"). The proceeding has been docketed as No. AB-55 (Sub-No. 697X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for discontinuance of service exemption. Comments on environmental and energy matters should be filed no later than 30 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 SEA, Surface Transportation Board, Washington, DC 20423 or by calling SEA 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 Office of the Secretary, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-245-0233. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou_Gitomer@verizon.net.

EXHIBIT F-LETTER OF SUPPORT

CITY OF BRUNSWICK

POST OFFICE BOX 550 • BRUNSWICK, GA 31521-0550 • (912) 267-5500 • FAX (912) 267-5549

Bryan Thompson, Mayor
Mark A. Spaulding, Mayor Pro Tem
James H. Brooks, Sr., Commissioner
Jonathan L. Williams, Commissioner
Cornell L. Harvey, Commissioner

City Attorney
M. Lynn Frey, III

City Manager
Roosevelt Harris, Jr.

May 19, 2009

Mr. Dave Geraci
Manager
Network & Joint Facility Services
CSX Transportation
500 Water Street
Jacksonville, FL 32202

Dear Mr. Geraci:

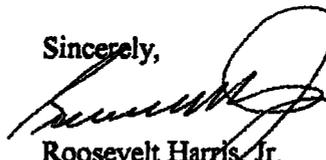
The City of Brunswick has been advised that CSX Transportation intends to file a Petition for Exemption for a segment of its rail line from Railroad Milepost AOB 534.36 to the end of the track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, Georgia.

As we stated in our April 5, 2009, letter to CSXT, the City of Brunswick strongly endorses this action. Abandonment of this line will result in significant taxpayer's cost savings and improved public safety by not creating an at-grade crossing into the newly constructed school, which is scheduled to open August 3, 2009.

Based on the current timeline and need, the City of Brunswick would respectfully request that this abandonment receive expedited handling.

Thanking you in advance for your assistance and prompt attention and if I may be of further assistance, please advise.

Sincerely,



Roosevelt Harris, Jr.
City Manager

RHJR:gm

xc: Mayor and Commissioners
City Attorney
City Engineer
CSX File

**EXHIBIT G—VERIFIED STATEMENT OF
ELLEN M. PRESLAR**

**CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN GLYNN COUNTY, GA**

VERIFIED STATEMENT OF ELLEN M. PRESLAR

I am Manager Regulatory Costing for Network Rationalization of CSX Transportation, Inc. ("CSXT") and am authorized to make this verification.

There are no active shippers located on CSXT's 0.31-mile rail line on its Southern Region, Jacksonville Division, Brunswick Subdivision from Railroad Milepost AOB 534.36 to the end of track at Railroad Milepost AOB 534.67 in Brunswick, Glynn County, GA (the "Line"). No overhead traffic uses the Line. As shown in Exhibit A, attached hereto, there is a siding to the Line identified as Runaround "E" in Exhibit A. The Line was used for CSXT's operating convenience in serving a shipper located about 0.2 mile south of the Line, Glynn Iron & Metals ("Glynn Iron") until April of 2008, when use of the Line was disrupted by a derailment that damaged the track.

Prior to the derailment, CSXT would pull a train with cars destined to Glynn Iron past the switch into the Glynn Iron facility, but still south of the Line, and cut the locomotive off of the train. The locomotive would then proceed north onto the Line, turn onto the siding in order to run around the cars destined to Glynn Iron, and then reenter the main line south of where the cars had been dropped off. The switch into Glynn Iron was then realigned so that the locomotive could enter Glynn Iron to pick up loaded cars. The train would then pull out of Glynn Iron, reset the switch, and back up to the empty cars that had been left on the track. After recoupling to the empty cars, the CSXT train would pull the train south of the switch into Glynn Iron, reset the

switch and then back into Glynn Iron to drop off the empty cars. Once the empty cars were uncoupled from the train, it would pull the loaded cars out to Brunswick Yard.

As a result of the derailment, CSXT removed the damaged track and placed a panel of track next to the Line for installation. Before the track panel was installed, Glynn County removed a parallel section of track on Runaround "E" in anticipation of the construction of a paved road to the new Glynn County Middle School, which was then under construction. At that time, CSXT and Glynn County began negotiations for CSXT to sell the property to Glynn County for highway purposes, after CSXT obtained abandonment authority. Another result of the derailment and removal of track by Glynn County was that CSXT was no longer able to perform the runaround maneuver on the Line and Runaround "E." CSXT developed a different operation to serve Glynn Iron.

A train would travel south out of Brunswick Yard and drop the empty cars on Runaround "W" (see Exhibit A). The locomotive would then decouple from the train, travel to Glynn Iron, pick up the loaded cars, bring the loaded cars to a point between the switches on the line west of the Runaround "W" track, and decouple from the train with loaded cars. The locomotive would then enter Runaround "W" and shove the empty cars to Glynn Iron. Once the empty cars were dropped at Glynn Iron, the locomotive would reenter Runaround "W," pull back onto the main track, move south to recouple with the loaded cars and pull them into Brunswick Yard.

CSXT has determined that the substitute operation is acceptable and does not affect service to and from Glynn Iron. Abandonment of the Line will not affect service to any shipper, will result in maintenance and opportunity cost savings on the Line, and will permit Glynn County to construct a paved road into the new Glynn County Middle School, without the substantial cost of constructing two fully protected at-grade crossings over the Line and Runaround "E."

VERIFICATION

I, Ellen M. Preslar, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on May 21, 2009.

Ellen M. Preslar
Ellen M. Preslar

EXHIBIT H—CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. §1152.60(d), the undersigned hereby certifies that the Petition for Exemption in Docket No. AB-55 (Sub-No. 697X), *CSX Transportation, Inc.—Abandonment Exemption—in Glynn County, GA* was mailed via first class mail, postage prepaid, on May 22, 2009, to the following parties:

State Public Service Commission

Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Military Surface Deployment and Distribution Command Transportation Engineering Agency

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
709 Ward Drive, Building 1990
Scott AFB, IL 62225-5357

National Park Service

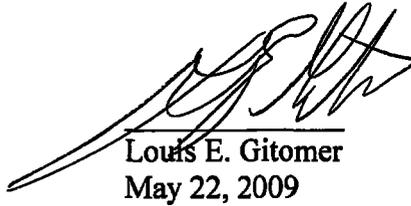
Mr. Charlie Stockman
RTCA Program
National Park Service
1849 C St., NW (Org Code 2235)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C St., NW
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, DC 20250



Louis E. Gitomer
May 22, 2009