

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW
SUITE 300
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820
FACSIMILE: (202) 663-7849

CRYSTAL M. ZORBAUGH

(202) 663-7831(Direct Dial)

E-Mail: czorbaugh@bakerandmiller.com

301431

January 11, 2021

VIA E-FILING

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

ENTERED
Office of Proceedings
January 11, 2021
Part of
Public Record

Re: Greenville County Economic Development Corporation – Abandonment
Exemption – In Greenville County, SC
AB-490 (Sub-No. 1x)

Notice of Consummation

Dear Ms. Brown:

On June 24, 2005, Greenville County Economic Development Corporation (“GCEDC”) filed a petition under 49 U.S.C. § 10502 for exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon approximately 11.8 miles of rail line, extending from milepost 0.0 in Greenville, S.C., to milepost 11.8 in Travelers Rest, S.C. (the “Line”), and to discontinue service over 3.29 miles of rail line, extending from milepost AJK 585.34 in East Greenville, S.C., to milepost AJK 588.63 in Greenville (Southern Segment) all in Greenville County, S.C.

By decision and notice of interim trail use or abandonment (“NITU”) served October 12, 2005, the Board granted the petition, subject to a NITU for Upstate Forever, as the proposed trail sponsor, to negotiate with GCEDC for interim trail use/rail banking of the Line under the National Trails System Act (Trails Act), 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. The decision also imposed several environmental conditions related to salvage.¹ A little over a year after the Line was railbanked (2005), Upstate Forever sought a replacement NITU that resulted

¹ As the Board pointed out in its December 16, 2020 decision only one of those conditions remained as of 2007: restrictions on herbicide use during salvage operations. Because the Line was salvaged well over a decade ago, no further salvage is anticipated.

BAKER & MILLER PLLC

Cynthia T. Brown
January 11, 2021
Page 2

in Greenville County Recreation District (“GCRD”) becoming the new trail sponsor, upon the Board issuing a replacement NITU served November 13, 2006.²

On November 24, 2020, the County filed a request under 49 C.F.R. § 1152.29(d)(2) to partially vacate the NITU served on November 13, 2006, over a segment of the Line’s right-of-way extending from milepost 0.8 to milepost 0.0 (“Removed Segment”) to allow the County to convey the Removed Segment to the City of Greenville for expansion of a public greenway upon the County consummating its abandonment authority. The Board issued a replacement NITU on December 16, 2020, for the Line, excluding the Removed Segment.

In accordance with the provisions of 49 C.F.R. § 1152.29(e)(2) and the Board’s December 16, 2020 decision, the County hereby advises the Board that it has fully exercised the authority granted and consummated abandonment of the Removed Segment. Should you have any questions concerning this notice of consummation, please contact the undersigned counsel for the County.

Sincerely,

/s/ *Crystal M. Zorbaugh*

Crystal M. Zorbaugh
Attorney for the County of Greenville, S.C.

cc: All Parties of Record
South Carolina Department of Transportation
South Carolina Public Service Commission

² In 2010, the County of Greenville, S.C. (“County”) was authorized to acquire all of GCEDC’s interest in the Line, including the residual common carrier obligation. See Cnty. Of Greenville, S.C.—Acquis. Exemption—Greenville Cnty. Econ. Dev. Corp., FD 35396 (STB served Aug. 11, 2010). The County’s acquisition included an assumption by the County of GCEDC’s rights and responsibilities under the interim trail use/rail banking agreement with GCRD.