

**Before the**  
**SURFACE TRANSPORTATION BOARD**

---

STB Docket No. AB 400 (Sub-No. 8X)

**SEMINOLE GULF RAILWAY, L.P.**  
**- ABANDONMENT EXEMPTION -**  
**IN LEE AND COLLIER COUNTIES, FL**

---

**ENVIRONMENTAL/HISTORIC REPORT**

*(color copies included)*

Justin J. Marks  
Clark Hill PLC  
1001 Pennsylvania Ave. N.W.  
Suite 1300 South  
Washington, DC 20004  
(202) 772-0916  
[jmarks@clarkhill.com](mailto:jmarks@clarkhill.com)

Eric M. Hocky  
Clark Hill PLC  
Two Commerce Square  
2001 Market St.  
Suite 2620  
Philadelphia, PA 19103  
(215) 640-8523  
[ehocky@clarkhill.com](mailto:ehocky@clarkhill.com)

*Counsel for Seminole Gulf Railway, L.P.*

Dated: May 13, 2026

**Before the**  
**SURFACE TRANSPORTATION BOARD**

STB Docket No. AB 400 (Sub-No. 8X)

**SEMINOLE GULF RAILWAY, L.P.**  
**- ABANDONMENT EXEMPTION –**  
**IN LEE AND COLLIER COUNTIES, FL**

---

**ENVIRONMENTAL/HISTORIC REPORT**

Seminole Gulf Railway, L.P. (“SGLR” or “Applicant”) will be seeking exemption authority for Applicant to abandon approximately 11.4-miles of rail line in Lee and Collier Counties, FL. (the “Subject Line”). The Subject Line extends between the northern right-of-way boundary of Estero Parkway at approximately SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County, and continuing into Collier County, FL) to the corridor’s terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80.

SGLR understands that interest exists to convert the Subject Line into a trail.

The Subject Line traverses through United States Postal Service ZIP Codes 33928, 34134, 34135, 34110. A map of the Subject Line is attached as Exhibit A.

Applicant intends to seek Surface Transportation Board (“STB” or the “Board”) authorization for the abandonment on or after June 8, 2026 through a class exemption pursuant to the provisions of 49 CFR §1152.50. This Report is being filed in connection therewith, and in accordance with the requirements of 49 CFR §§1105.7 and 1105.8. To prepare this Report, Applicant consulted with various state and federal agencies as required by the Board’s regulations.

See the letters attached as Exhibit B dated March 17, 2026. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

## **ENVIRONMENTAL REPORT**

### **(49 CFR 1105.7)**

#### **1. PROPOSED ACTION AND ALTERNATIVES**

SGLR is a Class III railroad. The Subject Line is located in Lee and Collier Counties, Florida. SGLR acquired the Subject Line in 1987.<sup>1</sup> No local service has been provided on the Subject Line since 2008 and there is no overhead traffic. Following the filing for abandonment, SGLR understands that interest exists to acquire and develop the Subject Line for trail use.<sup>2</sup>

#### **2. EFFECTS ON THE TRANSPORTATION SYSTEM**

The abandonment will have no effect on the transportation system because there is no overhead traffic over the Subject Line and the last date of local service to or from the Subject Line was in 2008. As such, no traffic will be diverted. SGLR sent consultation letters regarding the proposed abandonment to the Florida Department of Transportation, Freight and Rail Office (“FDOT”). See the letter attached as part of Exhibit B. FDOT has not responded to the SGLR consultation letter.

#### **3. LAND USE**

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department

---

<sup>1</sup> Seminole Gulf Railway, L.P. – Exemption to Acquire and Operate – CSX Transportation, Inc., ICC Docket No. 31155 (decided Nov. 13, 1987).

<sup>2</sup> *Friends of the Bonita Estero Rail Trail*, available at [Friends of the Bonita Estero Rail Trail](#) (last visited May 12, 2026).

of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 4 (“EPA Region 4”), U.S. Army Corps of Engineers Fort Myers Section (“ACE”), National Park Service (“NPS”), National Park Service Region 1 South Atlantic-Gulf (“NPS Local”), U.S. Fish & Wildlife Service – Southeast Region 4 (“FWS”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), Florida Department of Environmental Protection (“FEPA”) through the Florida State Clearinghouse, Chairman Pendergrass, Lee County Board of Commissioners, Chairman Saunders, Collier County Board of Commissioners, Mayor Gibson, Mayor of the City of Bonita Springs, and Mayor Ribble, Mayor of the Village of Estero.

Copies of these letters are attached as part of Exhibit B. To date, Applicant received only a reply from NRCS Local indicating that the abandonment will have no impact on any farmland. A copy of the NRCS Local reply is included as part of Exhibit C.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially concerned agencies listed in paragraph 3(i) above, and as indicated, NRCS Local stated that the abandonment will have no impact on farmland.

(iii) SGLR submitted a consultation letter to the Florida Coastal Resources Management Program through the Florida State Clearinghouse. *See* Exhibit B. The Clearinghouse stated “[w]hile it is covered by E.O. 12372, the Florida State Clearinghouse does not select the project for review.” *See* Exhibit C.

(iv) Applicant believes that the right-of-way may be suitable for public purposes such as trail use.

4. **ENERGY**

The Subject Line has no local customers and has no overhead service. As such,

(i) the proposed abandonment will have no effect on the transportation of energy sources;

(ii) the proposed abandonment will have no effect on recyclable commodities;

(iii) the proposed abandonment will have no effect on overall energy efficiency;

and

(iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. **NOISE**

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. **SAFETY**

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

## 8. **BIOLOGICAL RESOURCES**

(i) Applicant has consulted with the FWS, as well as to the following agencies that are potentially concerned with biological resources: FEPA, NPS, NPS Local, ACE, NRCS National, and NRCS Local. Copies of these consultation letters are attached as part of Exhibit B. To date, none of these agencies has provided a comment with respect to impacts on biological resources.

(ii) Koreshan State Park is in the nearby, but not adjacent to the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i) and Applicant has not received any responses.

## 9. **WATER**

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i) and none have provided any comment.

(ii) Applicant sent a consultation letter regarding the proposed abandonment to ACE. A copy of this letter is attached as part of Exhibit B. To date, Applicant has not received a response.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to FEPA and EPA. Copies of these letters are attached as part of Exhibit B. Applicant received a response from FEPA in response to Applicant's coastal zone consultation letter stating that FEPA does not select the project for review. That letter is silent about whether the proposed action would have any impact on other resource areas. To date, Applicant has not received a response from EPA.

## 10. **PROPOSED MITIGATION**

Since no adverse environmental impacts are expected, no mitigation is proposed.

**11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION**

Not applicable.

**12. CONSULTATION**

As shown by the copies of letters attached as Exhibit B, Applicant has consulted with the following agencies: FDOT, NRCS Local, NRCS National, EPA Region 4, ACE, NPS, NPS, Local, FWS, NGS, FEPA and the Florida Coastal Management Program (Florida State Clearinghouse), the Chairman of the Lee County Board of Commissioners, the Chairman of the Collier County Board of Commissioners, the Mayor of the City of Bonita Springs, and the Mayor of the Village of Estero.

**13. CERTIFICATIONS**

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.
- (c) Notice of the proposed abandonment will be published in the *Business Observer* on May 15, 2026 in Lee and Collier Counties. A copy of the form of notice and a certificate of publication are attached as Exhibit D.
- (d) Applicant will not file its notice of exemption for the abandonment until twenty (20) days after the consulted agencies have been served with a copy of this report.

**HISTORIC REPORT  
(49 CFR 1105.8)**

**1. U.S.G.S TOPOGRAPHIC MAP**

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

**2. DESCRIPTION OF RIGHT OF WAY**

Seminole Gulf Railway, L.P. (“SGLR” or “Applicant”) will be seeking exemption authority for Applicant to abandon approximately 11.4-miles of rail line in Lee and Collier Counties, FL. (the “Subject Line”). The Subject Line extends between the northern right-of-way boundary of Estero Parkway at approximately SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County, and continuing into Collier County, FL) to the corridor’s terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80.

It is SGLR’s understanding that interest exists in converting the Subject Line into a trail.

The Subject Line is located in a mostly suburban area comprised of residential and commercial developments with few industrial developments. The right-of-way is generally 130 feet wide and is crossed by eighteen public roadways.

**3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)**

No structures 50 years old or older (historic) exist on the Subject Line.

**4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)**

SGLR has no documents that pertain to any structures on the Subject Line which are over 50 years old.

**5. HISTORY OF CARRIER OPERATIONS IN THE AREA**

SGLR is a Class III railroad. The Subject Line is located in Lee and Collier Counties, Florida. SGLR acquired the Subject Line in 1987 from CSX Transportation.<sup>3</sup> Since that time, SGLR witnessed a general decline in rail freight traffic on the line, beginning with the loss of pine stump traffic, followed by the loss of aggregates to two (2) cement batch plants. In 2008, the two remaining rail freight customers, both which required off rail transloading, shifted their respective operations to other locations. SGLR has not moved freight over the Subject Line since 2008.

It is SGLR’s understanding that prior to its acquisition, the Subject Line was owned by one of two (2) railroads that ran south to Naples, FL. Those railroads merged and became part of the Seaboard Coastline Railroad (“Seaboard”). Seaboard subsequently abandoned the line from Milepost AXC 990.689 south to Naples in the 1970s after the creation of Amtrak. The last passenger service to Naples was approximately in 1971. Seaboard later became CSX Transportation.

**6. SUMMARY OF STRUCTURE DOCUMENTATION**

SGLR has no documentation pertaining to any structures over 50 years old.

**7. OPINION REGARDING CRITERIA FOR LISTING**

Applicant provided notice of the proposed abandonment to the Florida State Historic Preservation Office (“SHPO”) via letter dated March 17, 2026. On March 18, 2026, the SHPO responded “Seminole Gulf Railway has been recorded in Lee County as Florida Master Site File No. 8LL2445. The resource was assessed as insufficient information to make a determination of its eligibility due to a limited segment of the resource being present within project area of potential effects. A review of our records indicates that the resource has not been recorded within Collier

---

<sup>3</sup> Seminole Gulf Railway, L.P. – Exemption to Acquire and Operate – CSX Transportation, Inc., ICC Docket No. 31155 (decided Nov. 13, 1987).

County.” The SHPO continued, “We look forward to a review document to assess eligibility and determine effects of this project upon this resource.”

Correspondence with the SHPO is included as part of Exhibit F.

**8. ENVIRONMENTAL CONDITIONS**

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might impact the archaeological recovery of resources or the surrounding terrain. If any salvage work is to be done, it would take place within the right-of-way, and would be surface work only and would not disturb subsurface resources.

Respectfully submitted,



Justin J. Marks  
Clark Hill PLC  
1001 Pennsylvania Ave. N.W.  
Suite 1300 South  
Washington, DC 20004  
(202) 772-0916  
jmarks@clarkhill.com

Eric M. Hocky  
Clark Hill PLC  
Two Commerce Square  
2001 Market St.  
Suite 2620  
Philadelphia, PA 19103  
(215) 640-8523  
ehocky@clarkhill.com

*Counsel for Seminole Gulf Railway, L.P.*

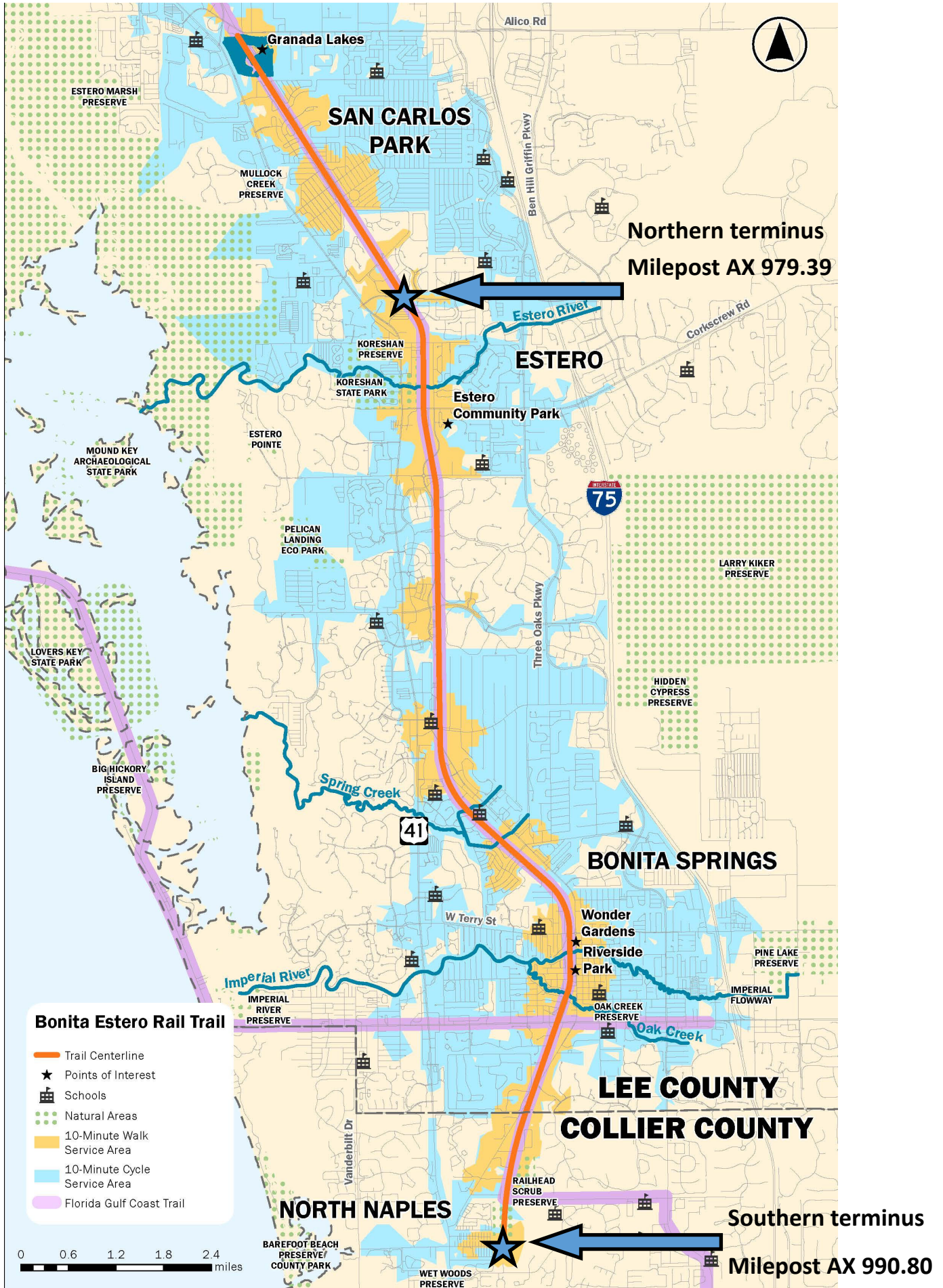
Dated: May 13, 2026

**ENVIRONMENTAL/HISTORIC  
REPORT**

**EXHIBIT A**

**MAP**

**SEMINOLE GULF RAILWAY, LP (SGLR) - Rails to Trails Conversion Territory for STB Filing**



**ENVIRONMENTAL/HISTORIC  
REPORT**

**EXHIBIT B**

**SGLR CORRESPONDENCE WITH  
ENVIRONMENTAL AGENCIES**

Justin J. Marks  
T (202) 772-0916  
F +12027720919  
Email:jjmarks@ClarkHill.com

Clark Hill  
1001 Pennsylvania Avenue N.W.  
Suite 1300 South  
Washington, DC 20004  
T (202) 772-0909  
F (202) 772-0919

March 17, 2026

Florida Coastal Management Program  
c/o Florida State Clearinghouse  
Florida Department of Environmental Protection

[State.Clearinghouse@FloridaDEP.gov](mailto:State.Clearinghouse@FloridaDEP.gov)

Re: Seminole Gulf Railway, L.P. – Abandonment Exemption –  
in Lee and Collier Counties, FL  
Surface Transportation Board Docket No. AB 400 (Sub-No. 8X)

Dear Sir or Madam:

This letter is to advise you that Seminole Gulf Railway, L.P. ("SGLR") intends to file a notice of exemption for SGLR to abandon the following segment of rail line (the "Subject Line"): between the northern right-of-way boundary of Estero Parkway at approximately SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County, and continuing into Collier County, FL) to the corridor's terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80. The Subject Line traverses through United States Postal Service ZIP Codes 33928, 34134, 34135, 34110. A map of the Subject Line is enclosed.

SGLR plans to seek Surface Transportation Board ("STB") authorization for the abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or after May 8, 2026, in STB Docket No. AB 400 (Sub-No. 8X).

Based upon information in SGLR's possession, the Subject Line does not contain federally granted rights of way.

SGLR intends to remove the rail and other track materials and will reuse it depending on its condition and functional utility. Any salvage work will be done within the right-of-way without disturbing anything beneath the surface. SGLR intends to transfer the property for trail use. SGLR believes that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

Your agency has jurisdiction over coastal zones in Florida, please advise if the Subject Line is within the Florida coastal zone. If this project is within the coastal zone, please advise further (1)

March 17, 2026  
Page 2

if the proposed abandonment is an action listed for review in the Florida coastal zone management plan, and (2) if the action is so listed, whether the proposed action is consistent with the coastal zone management plan.

We would appreciate an expression from you by April 17, 2026, that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Justin J. Marks". The signature is written in a cursive style with a large, stylized initial "J".

Justin J. Marks  
Counsel to Seminole Gulf Railway, L.P.

Enclosure

**SEMINOLE GULF RAILWAY, LP (SGLR) - Rails to Trails Conversion Territory for STB Filing**



Justin J. Marks  
T (202) 772-0916  
F +12027720919  
Email:jjmarks@ClarkHill.com

Clark Hill  
1001 Pennsylvania Avenue N.W.  
Suite 1300 South  
Washington, DC 20004  
T (202) 772-0909  
F (202) 772-0919

March 17, 2026

VIA EMAIL AND FIRST-CLASS MAIL

ALL AGENCIES ON THE  
ATTACHED SERVICE LIST

Re: Seminole Gulf Railway, L.P. – Abandonment Exemption –  
in Lee and Collier Counties, FL  
Surface Transportation Board Docket No. AB 400 (Sub-No. 8X)

Dear Madam/Sir:

This letter is to advise you that Seminole Gulf Railway, L.P. ("SGLR") intends to file a notice of exemption for SGLR to abandon the following segment of rail line (the "Subject Line"): between the northern right-of-way boundary of Estero Parkway at approximately SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County, and continuing into Collier County, FL) to the corridor's terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80. The Subject Line traverses through United States Postal Service ZIP Codes 33928, 34134, 34135, 34110. A map of the Subject Line is enclosed.

SGLR plans to seek Surface Transportation Board ("STB") authorization for the abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or after May 8, 2026, in STB Docket No. AB 400 (Sub-No. 8X).

Based upon information in SGLR's possession, the Subject Line does not contain federally granted rights of way.

SGLR intends to remove the rail and other track materials and will reuse it depending on its condition and functional utility. Any salvage work will be done within the right-of-way without disturbing anything beneath the surface. SGLR intends to transfer the property for trail use. SGLR believes that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by April 17, 2026, that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the

March 17, 2026  
Page 2

environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

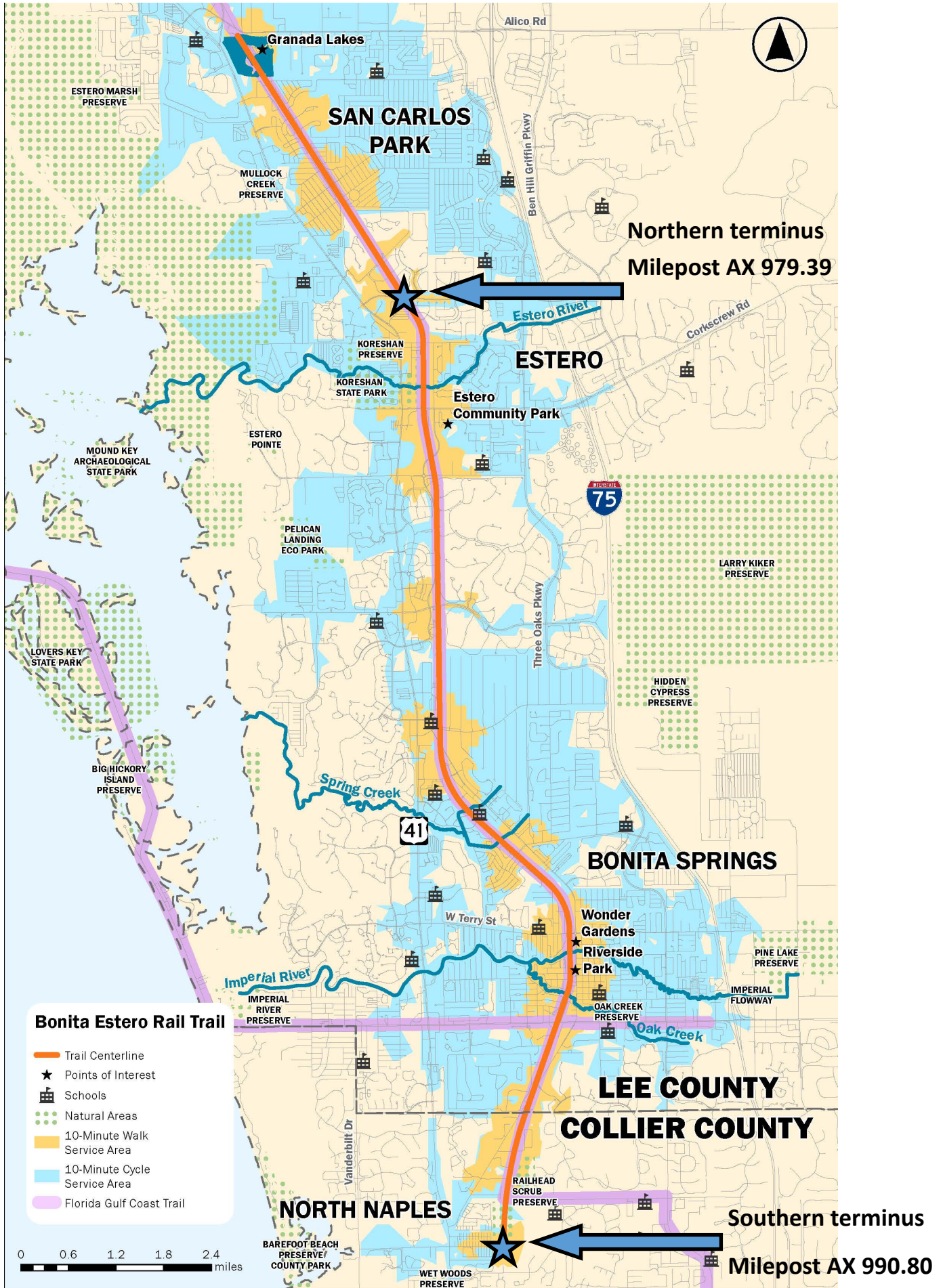
Sincerely,



Justin J. Marks  
Counsel to Seminole Gulf Railway, L.P.

Enclosure

**SEMINOLE GULF RAILWAY, LP (SGLR) - Rails to Trails Conversion Territory for STB Filing**



Agency List for Consultation Letters – Environmental and SHPO

<p>Mr. Juan Hernandez State Conservationist USDA Natural Resources Conservation Service Florida State Office 4500 NW 27th Avenue Building A Gainesville, FL 32606</p> <p><a href="mailto:juan.hernandez@usda.gov">juan.hernandez@usda.gov</a></p>	<p>US EPA Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-8960</p>
<p>United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250</p>	<p>U.S. Army Corp of Engineers Fort Myers Section 1520 Royal Palm Square Blvd. Suite 310 Fort Myers, FL 33919-1036</p>
<p>National Park Service 1849 C Street, NW Washington, DC 20240</p>	<p>National Park Service Region 2 South Atlantic-Gulf Darrell Echols, Acting Regional Director 100 Alabama Street, SW 1924 Building Atlanta, GA 30303</p>
<p>United States Fish &amp; Wildlife Service Southeast Region 4 1875 Century Boulevard Suite 400 Atlanta, GA 30345</p>	<p>National Geodetic Survey</p> <p><a href="mailto:ngs.infocenter@noaa.gov">ngs.infocenter@noaa.gov</a></p>
<p>Florida Department of Environmental Protection</p> <p><a href="mailto:State.Clearinghouse@FloridaDEP.gov">State.Clearinghouse@FloridaDEP.gov</a></p>	<p>State Historic Preservation Office R. A. Gray Building 500 S. Bronough Street, Room 423 Tallahassee, FL 32399-0250</p> <p><a href="mailto:CompliancePermit@dos.fl.gov">CompliancePermit@dos.fl.gov</a></p>
<p>Florida Coastal Management Program Office of Planning and Development</p> <p><a href="mailto:State.Clearinghouse@FloridaDEP.gov">State.Clearinghouse@FloridaDEP.gov</a></p>	<p>Daniel Fetahovic, Freight and Rail Manager Florida Department of Transportation, Freight and Rail Office <a href="mailto:daniel.fetahovic@dot.state.fl.us">daniel.fetahovic@dot.state.fl.us</a></p>

Cecil Pendergrass, Chairman Lee County Board of Commissioners P.O. Box 398 Fort Myers, FL 33902-0398	City of Bonita Springs (FL) Atten: Mayor Mike Gibson 9101 Bonita Beach Road SE Bonita Springs, FL 34135
Collier County (FL) Chairman Burt Saunders 3299 Tamiami Trail East Naples, FL 34112	Village of Estero (FL) Atten: Mayor Joanne Ribble 9401 Corkscrew Palms Circle Estero, FL 33928

**ENVIRONMENTAL/HISTORIC  
REPORT**

**EXHIBIT C**

**AGENCY RESPONSES**

**Marks, Justin J.**

---

**From:** State\_Clearinghouse <State.Clearinghouse@FloridaDEP.gov>  
**Sent:** Wednesday, March 18, 2026 3:27 PM  
**To:** Marks, Justin J.; State\_Clearinghouse  
**Cc:** Hocky, Eric M.  
**Subject:** RE: Coastal Zone Management Consultation Letter: Railroad Abandonment: Lee and Collier Counties, FL

EXTERNAL EMAIL: The sender (State.Clearinghouse@FloridaDEP.gov) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

While it is covered by E.O. 12372, the Florida State Clearinghouse does not select the project for review. You may proceed with your project.

Please continue to send electronic requests directly to the Florida State Clearinghouse email address, [State.Clearinghouse@FloridaDEP.gov](mailto:State.Clearinghouse@FloridaDEP.gov).

Thank you,

*Lindsay Weaver*



**Lindsay Weaver**  
Florida State Clearinghouse  
Office of Intergovernmental Programs  
Florida Department of Environmental Protection  
[State.Clearinghouse@FloridaDEP.gov](mailto:State.Clearinghouse@FloridaDEP.gov)  
Office: 850-717-9037

---

**From:** Marks, Justin J. <jmarks@ClarkHill.com>  
**Sent:** Tuesday, March 17, 2026 1:18 PM  
**To:** State\_Clearinghouse <State.Clearinghouse@FloridaDEP.gov>  
**Cc:** Hocky, Eric M. <ehocky@clarkhill.com>  
**Subject:** Coastal Zone Management Consultation Letter: Railroad Abandonment: Lee and Collier Counties, FL

**EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good afternoon:

The attached consultation letter is to advise the Florida Coastal Zone Management Program that Seminole Gulf Railway, L.P. ("SGLR") intends to file a notice of exemption for SGLR to abandon a line of railroad in Lee and Collier Counties, FL with the United States Surface Transportation Board.

Thank you,

**Justin J. Marks**

Attorney at Law

**Clark Hill**

1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004  
+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)  
[jmarks@clarkhill.com](mailto:jmarks@clarkhill.com) | [www.clarkhill.com](http://www.clarkhill.com)





April 7, 2026

Justin J. Marks  
Attorney at Law  
Clark Hill  
1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004  
+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)  
[jmarks@clarkhill.com](mailto:jmarks@clarkhill.com) | [www.clarkhill.com](http://www.clarkhill.com)

RE: USDA-NRCS Response to Farmland Protection Policy Act for Seminole Gulf Railway, L.P. Project in Lee and Collier County, Florida.

Dear Justin J. Marks,

The Natural Resources Conservation Service (NRCS) has reviewed the Seminole Gulf Railway, L.P. Project in Lee and Collier County, Florida.

Farmland Protection Policy Act (FPPA)

The Agriculture and Food Act of 1981, (Public Law 97-98) containing the Farmland Protection Policy Act (FPPA), Subtitle I of Title XV, Section 1539-1549, is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses.

For FPPA “Farmland” means prime or unique farmland as defined in section 1540 (c)(1) of the Act, or farmland that is determined by the appropriate state or local government agency, with concurrence of the secretary of Agriculture, to be farmland of statewide or local importance.

NRCS is the agency responsible for ensuring that the Farmland Protection Policy Act (FPPA) is implemented. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to non-agricultural use; and are completed or assisted by a federal agency. However, the definition of “Farmland” includes several exemptions that can be applied to said activities and are not subject to FPPA. Specifically, land irreversibly converted (this includes land in or being converted within a right-of-way) or land that is already in or committed to urban development or water storage.

Farmland “already in urban development”, meets any of the following criteria: all land with a density of 30 structures per 40-acre area. Land identified as urbanized area (UA) on the Census Bureau Map, or as urban area mapped with a tint overprint on the United States Geological Survey (USGS) topographical maps, or as urban-built-up on the United States Department of Agriculture (USDA) Important Farmland Maps.

Based on the information provided, the project location and activities meet criteria for Non-Farmland, no new conversion of farmland will take place. The project is exempt from FPPA according to the Code of Federal Regulation 7 CFR § 658.2 and § 658.3; and the 2020 Census Bureau Maps. You are exempt from filling in any form currently. Use this letter as proof of exemption.

For more information on FPPA please go to:

**NRCS - Farmland Protection Policy Act Website:**

[Farmland Protection Policy Act | Natural Resources Conservation Service \(usda.gov\)](https://www.nrcs.usda.gov/fppa)

Sincerely,  
Isabelle Giuliani  
State Soil Scientist  
USDA-NRCS

**ENVIRONMENTAL/HISTORIC  
REPORT**

**EXHIBIT D**

**NEWSPAPER NOTICE**

**Certificate of Newspaper Publication**

49 C.F.R. § 1105.7(c) – Newspaper Notice

I certify that a “Notice of Intent to Abandon Rail Service” is scheduled to be published in the form prescribed by the Board for abandonment notices of exemption at 49 C.F.R. § 1105.12. The notice will be published on May 15, 2026, in the *Business Observer*, a newspaper of general circulation in Lee and Collier Counties, Florida.

May 13, 2026



---

Justin J. Marks  
*Attorney for Seminole Gulf Railway, L.P.*

## NOTICE OF INTENT TO ABANDON RAIL SERVICE

Seminole Gulf Railway, L.P. gives notice that on or about June 8, 2026, it intends to file with the Surface Transportation Board, Washington, DC, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to permit the abandonment of an approximate 11.4-mile segment of railroad line between SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County), and continuing into Collier County, FL to the corridor's terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80, traversing through United States Postal Service ZIP Codes 33928, 34134, 34135, 34110. The proceeding will be docketed as No. AB 400 (Sub-No. 8X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC or by calling that office at (202) 245-0245.

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 Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [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 Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; (202) 772-0916; [jmarks@clarkhill.com](mailto:jmarks@clarkhill.com).

May 15, 2026

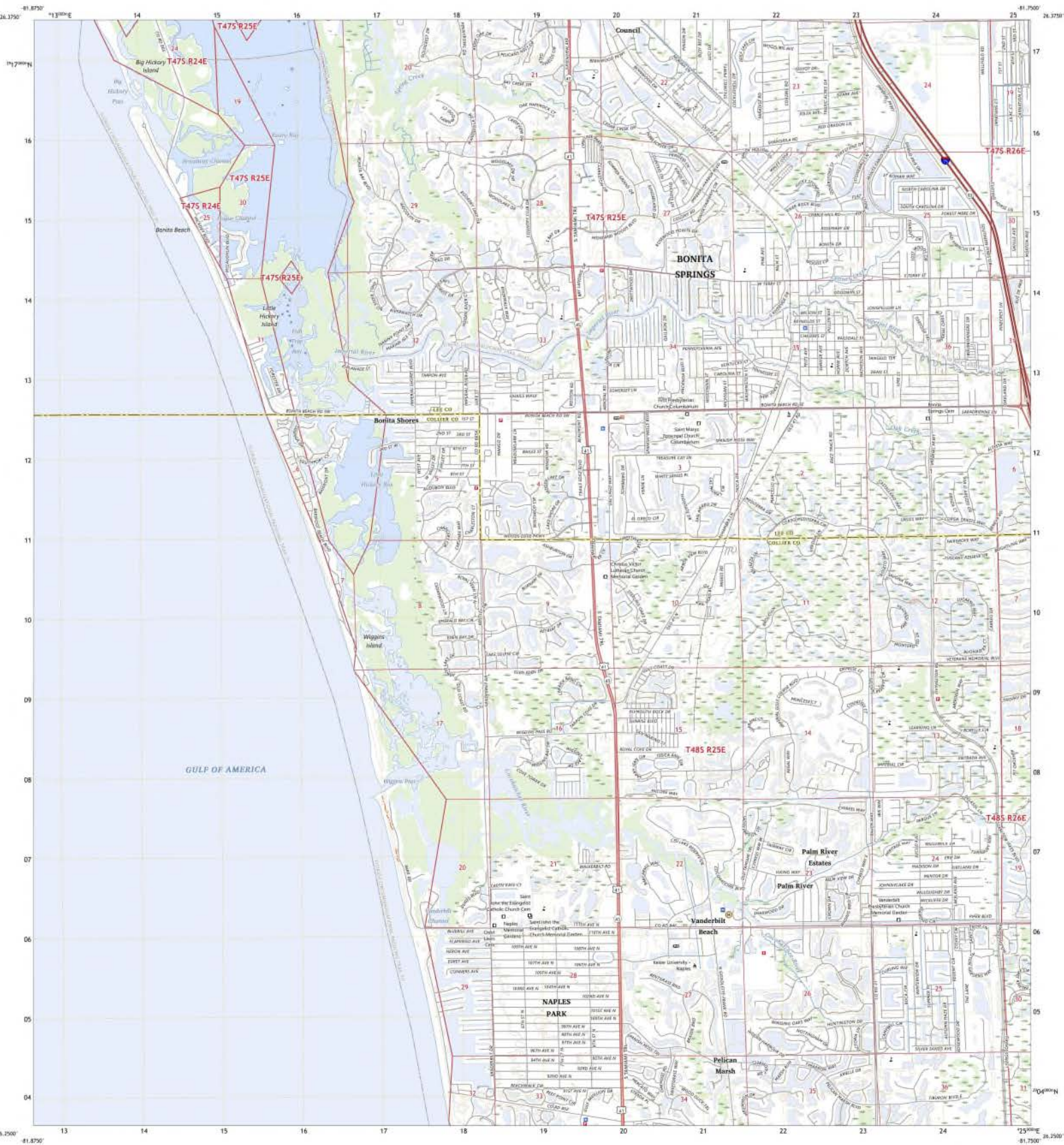
26-01868L

---

**ENVIRONMENTAL/HISTORIC  
REPORT**

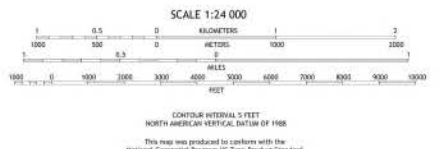
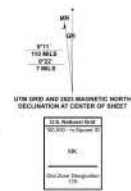
**EXHIBIT E**

**TOPOGRAPHICAL MAP**



Produced by the United States Geological Survey  
 North American Datum of 1983 (NAD83)  
 World Geodetic System of 1984 (WGS84) Projection and  
 1:500-meter grid (National Transverse Mercator Zone 17E)  
 This map is not a legal document. Boundaries may be  
 generalized for the map scale. Private lands with government  
 easements may not be shown. Obtain permission before  
 entering private lands.

Shapefiles: NAD83 November 2019 November 2019  
 Roads: U.S. Census Bureau 2018  
 Contours: National Hydrography Dataset 2002 2002  
 Boundaries: National Wetlands Inventory 2018  
 Boundaries: Multiple sources; see metadata file 2021 2022  
 Public Land Survey System: BLM 2008  
 Wetlands: FWS National Wetlands Inventory Not Available



**ROAD CLASSIFICATION**

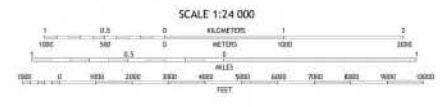
Expressway	Local Connector
Secondary Hwy	Local Road
Artp	Artp
Interstate Route	US Route
	State Route

1	2	3
4	5	6

1 Fort Myers Beach  
 2 Edge  
 3 Conchowise Hill  
 4 Conchowise SW  
 5 Naples North  
 6 Silver Strand NW



Produced by the United States Geological Survey  
 North American Datum of 1983 (NAD83)  
 World Geodetic System of 1984 (WGS84) Projection and  
 1:5000 contour interval. Transverse Mercator, Zone 17R  
 This map is not a legal document. Boundaries may be  
 questioned for the map scale. Private land water government  
 operations may not be shown. Obtain permission before  
 entering private lands.



**ROAD CLASSIFICATION**

Expressway	Local Collector
Secondary Hwy	Local Road
Ramp	AKD
Interstate Route	US Route
	State Route

1	2	3
4	5	6
7	8	9

1 Four Meters SW  
 2 Four Meters SE  
 3 Six Meters SW  
 4 Four Meters South  
 5 Contourless SW  
 6 Bonita Springs  
 7 Contourless SW

**ENVIRONMENTAL/HISTORIC  
REPORT**

**EXHIBIT F**

**SHPO CORRESPONDENCE**

Justin J. Marks  
T (202) 772-0916  
F +12027720919  
Email:jjmarks@ClarkHill.com

Clark Hill  
1001 Pennsylvania Avenue N.W.  
Suite 1300 South  
Washington, DC 20004  
T (202) 772-0909  
F (202) 772-0919

March 17, 2026

State Historic Preservation Office  
R. A. Gray Building  
500 S. Bronough Street, Room 423  
Tallahassee, FL 32399-0250

CompliancePermit@dos.fl.gov

Re: Seminole Gulf Railway, L.P. – Abandonment Exemption –  
in Lee and Collier Counties, FL  
Surface Transportation Board Docket No. AB 400 (Sub-No. 8X)

Dear Madam/Sir:

This letter is to advise you that Seminole Gulf Railway, L.P. ("SGLR") intends to file a notice of exemption for SGLR to abandon the following segment of rail line (the "Subject Line"): between the northern right-of-way boundary of Estero Parkway at approximately SGLR Milepost AX 979.39 in the Village of Estero, FL (Lee County) south through the remainder of Estero, and through the City of Bonita Springs, FL (Lee County, and continuing into Collier County, FL) to the corridor's terminus at the conceptual northern right-of-way extension of the Wiggins Pass Road, at approximately SGLR milepost AX 990.80. The Subject Line traverses through United States Postal Service ZIP Codes 33928, 34134, 34135, 34110. A map of the Subject Line is enclosed.

SGLR plans to seek Surface Transportation Board ("STB") authorization for the abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 on or after May 8, 2026, in STB Docket No. AB 400 (Sub-No. 8X).

Based upon information in SGLR's possession, the Subject Line does not contain federally granted rights of way.

SGLR intends to remove the rail and other track materials and will reuse it depending on its condition and functional utility. Any salvage work will be done within the right-of-way without disturbing anything beneath the surface. SGLR intends to transfer the property for trail use. SGLR believes that the abandonment will not have a significant effect upon the environment or any structures 50 years old or older.

In advance of preparing a historical report as required by applicable STB regulations, we are consulting with you as to any concerns which you may have as to historical impacts of the proposed abandonment.

March 17, 2026  
Page 2

We would appreciate an expression from you by April 17, 2026, that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon historic resources (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

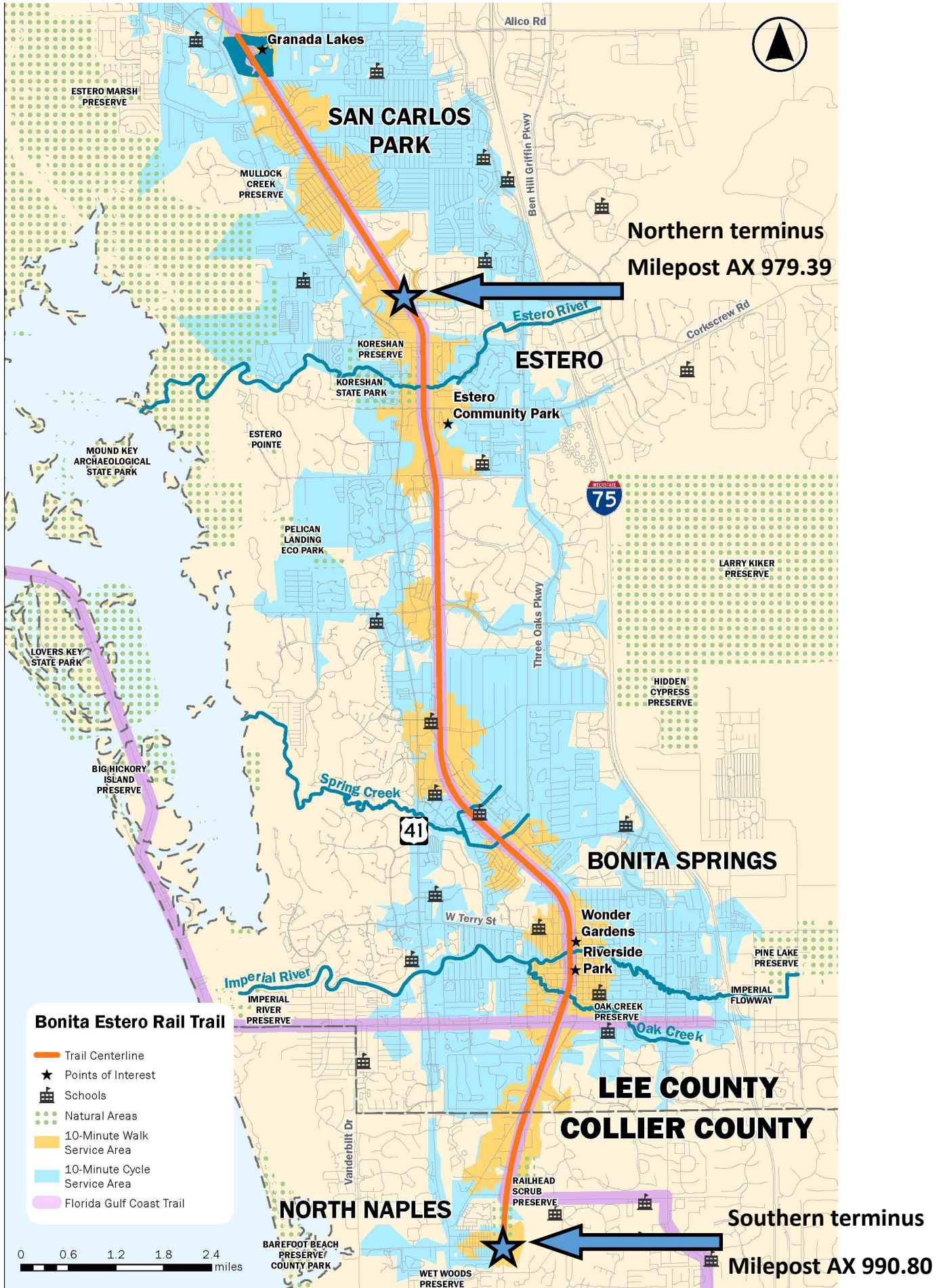
Sincerely,



Justin J. Marks  
Counsel to Seminole Gulf Railway, L.P.

Enclosure

**SEMINOLE GULF RAILWAY, LP (SGLR) - Rails to Trails Conversion Territory for STB Filing**



Map from Friends of BERT website. <https://bonitaesterorailtrail.com/>

## Marks, Justin J.

---

**From:** McManus, Alyssa M. <Alyssa.McManus@dos.fl.gov>  
**Sent:** Wednesday, March 18, 2026 11:52 AM  
**To:** Marks, Justin J.  
**Subject:** Section 106 Consultation Letter: Railroad Abandonment: Lee and Collier Counties, FL

EXTERNAL EMAIL: The sender (Alyssa.McManus@dos.fl.gov) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

Hello Justin,

We have received your section 106 consultation letter. The Seminole Gulf Railway has been recorded in Lee County as Florida Master Site File No. 8LL2445. The resource was assessed as insufficient information to make a determination of its eligibility due to a limited segment of the resource being present within project area of potential effects. A review of our records indicates that the resource has not been recorded within Collier County.

We look forward to a review document to assess eligibility and determine effects of this project upon this resource.

Thank you,

Alyssa McManus

| Historic Preservationist | Bureau of Historic Preservation | Division of Historical Resources | Florida  
Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | 850.245.6425 |  
1.800.847.7278 | Fax: 850.245.6425 [Alyssa.McManus@dos.fl.gov](mailto:Alyssa.McManus@dos.fl.gov) |

## CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by email or first class mail, postage prepaid:

Mr. Juan Hernandez State Conservationist USDA Natural Resources Conservation Service Florida State Office 4500 NW 27th Avenue Building A Gainesville, FL 32606  <a href="mailto:juan.hernandez@usda.gov">juan.hernandez@usda.gov</a>	US EPA Region 4 Sam Nunn Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-8960
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Fort Myers Section 1520 Royal Palm Square Blvd. Suite 310 Fort Myers, FL 33919-1036
National Park Service 1849 C Street, NW Washington, DC 20240	National Park Service Region 2 South Atlantic-Gulf Darrell Echols, Acting Regional Director 100 Alabama Street, SW 1924 Building Atlanta, GA 30303
United States Fish & Wildlife Service Southeast Region 4 1875 Century Boulevard Suite 400 Atlanta, GA 30345	National Geodetic Survey  <a href="mailto:ngs.infocenter@noaa.gov">ngs.infocenter@noaa.gov</a>
Florida Department of Environmental Protection  <a href="mailto:State.Clearinghouse@FloridaDEP.gov">State.Clearinghouse@FloridaDEP.gov</a>	State Historic Preservation Office R. A. Gray Building 500 S. Bronough Street, Room 423 Tallahassee, FL 32399-0250

	<a href="mailto:CompliancePermits@dos.fl.gov">CompliancePermits@dos.fl.gov</a>
Florida Coastal Management Program Office of Planning and Development  <a href="mailto:State.Clearinghouse@FloridaDEP.gov">State.Clearinghouse@FloridaDEP.gov</a>	Daniel Fetahovic, Freight and Rail Manager Florida Department of Transportation, Freight and Rail Office daniel.fetahovic@dot.state.fl.us
Cecil Pendergrass, Chairman Lee County Board of Commissioners P.O. Box 398 Fort Myers, FL 33902-0398	City of Bonita Springs (FL) Atten: Mayor Mike Gibson 9101 Bonita Beach Road SE Bonita Springs, FL 34135
Collier County (FL) Chairman Burt Saunders 3299 Tamiami Trail East Naples, FL 34112	Village of Estero (FL) Atten: Mayor Joanne Ribble 9401 Corkscrew Palms Circle Estero, FL 33928

---

Justin J. Marks  
 CLARK HILL PLC  
 1001 Pennsylvania Ave. N.W.  
 Suite 1300 South  
 Washington, DC 20004  
 202.772.0916  
 jmarks@clarkhill.com