

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

March 29, 2019

247362

BY HAND DELIVERY

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
March 29, 2019
Part of
Public Record

Re: Alabama Railroad Co. – Abandonment Exemption – In Escambia, Conecuh, and Monroe Counties, In Alabama, AB-463 (Sub-No. 2X)

Dear Ms. Brown:

Pursuant to 49 C.F.R. Part 1152, Subpart F – Exempt Abandonments and Discontinuances enclosed are an original and 11 copies of a verified notice of exemption for Alabama Railroad Co. (“ALAB”)¹ to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL (the “Line”).

Please acknowledge receipt and filing of this notice of exemption by date stamping the enclosed eleventh copy and returning it to the courier for return to me. This submission also includes an electronic copy of the entire filing and a separate electronic file of a draft Federal Register notice. A check in the amount of \$4,200.00 is enclosed to cover the applicable filing fee. If there are any questions about this matter, please contact me directly, either by telephone: 202-663-7831 or by e-mail: czorbaugh@bakerandmiller.com or William A. Mullins, who can be reached at (202) 663-7823 or by e-mail at wmullins@bakerandmiller.com.

Sincerely,

Crystal M. Zorbaugh
Attorney for Alabama Railroad Co.

Enclosures

cc: Daniel A. LaKemper, Esq.

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

FILED
March 29, 2019
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
March 29, 2019
SURFACE
TRANSPORTATION BOARD

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
- ABANDONMENT EXEMPTION -
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT



**Daniel A. LaKemper, General Counsel
ALABAMA RAILROAD CO., INC.
1318 S. Johanson Road
Peoria, Illinois 61607
Tel.: (309) 697-1400
Fax: (309) 697-1677
*THIS FILING CONTAINS COLOR.**

March 29, 2019

**William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849**

Attorneys for Alabama Railroad Co.

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

AB-463 (Sub-No. 2X)



**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

Alabama Railroad Co. (“ALAB”)¹ hereby submits a verified notice of exemption (“Notice”) pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances) for ALAB to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, AL (the “Line”). The Line traverses United States Postal Zip Code territories 36426, 36441, 36460, 36471, and 36475. There are no customers served on the Line, which has been out of service for over two years.

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), ALAB provides the following information in support of the Notice:

Certification: 49 C.F.R. § 1152.50(b)

ALAB certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 C.F.R. part 1152, subpart F. See Combined Certification and Verification of J. Michael Carr (Exhibit A). During the past two years, ALAB has provided no local or overhead

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

traffic over the Line; overhead traffic, if there were any, could be rerouted over other lines; and no formal complaint has been filed by a user of rail service on the Line or a state or local government entity acting on behalf of such user regarding cessation of service over the Line is either pending before the Surface Transportation Board or any U.S. District Court, or has been decided in favor of the complainant within the two-year period.

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

The proposed abandonment will be consummated on or after May 18, 2019 (50 days after filing the notice of exemption).

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

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

Alabama Railroad Co.

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

Alabama Railroad Co. is a common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

ALAB hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 located in Escambia, Conecuh, and Monroe, Counties, AL. The Line traverses United States Postal Zip Code territories 36426, 36441, 36460, 36471, and 36475. There are no customers served on the Line, which has been out of service for over two years.

Map (49 C.F.R. § 1152.22(a)(4)):

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

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

ALAB's representatives to whom correspondence should be sent is as follows:

William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW, Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

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

The Line is located in the following United States Postal Zip Code territories: 36426, 36441, 36460, 36471, and 36475.

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

ALAB has a mix of fee simple, easement, and other types of real property interest in the right-of-way underlying the Line proposed for abandonment; thus, ALAB may have a corridor available for redeployment for alternative public use(s). Monroe County has expressed an interest in establishing trail use for the Line, which does not contain any federally granted right-of-way. As appropriate, ALAB is willing promptly to make available any information in its possession to anyone so requesting it.

Labor Protection

The interests of affected railroad employees, if any, will be protected by the conditions discussed in Oregon Short Line R. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979). Nevertheless, there are no ALAB employees who will lose their job or otherwise be adversely affected as a result of the abandonment.

Certifications

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

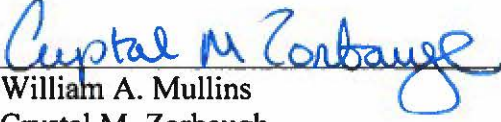
Environmental and Historic Report

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), ALAB has prepared a combined Environmental and Historic Report ("E&HR") in anticipation of the proposed abandonment portion of the proceeding, which conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,

Daniel A. LaKemper, General
Counsel
ALABAMA RAILROAD CO., INC.
1318 S. Johanson Road
Peoria, Illinois 61607
Tel.: (309) 697-1400
Fax: (309) 697-1677

March 29, 2019



William A. Mullins
Crystal M. Zorbaugh
BAKER & MILLER PLLC
2401 Pennsylvania Ave., NW
Suite 300
Washington, DC 20037
Tel: (202) 663-7820
Fax: (202) 663-7849

Attorneys for Alabama Railroad Co.

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

**Combined Certification and Verification of
J. Michael Carr**

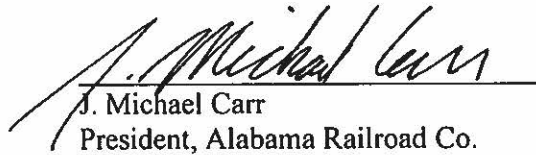
Combined Certification and Verification

I, J. Michael Carr, President of Alabama Railroad Co. ("ALAB")¹ hereby verify and certify that no local traffic has moved over ALAB's approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL (the "Line"), for at least two years.

I also hereby verify and certify that there is no overhead traffic on the Line that has been, or would need to be, rerouted as a result of the proposed abandonment. I further verify and certify that no formal complaint filed by a user of rail service on the Line (or filed by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the said two-year period. I also certify that I am duly authorized to make this verification.

I hereby verify that the information contained in the foregoing abandonment notice of exemption is true and correct to the best of my information and belief.

Dated: March 21, 2019


J. Michael Carr
President, Alabama Railroad Co.

¹ ALAB's legal name is now Alabama Railroad Co., Inc.

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

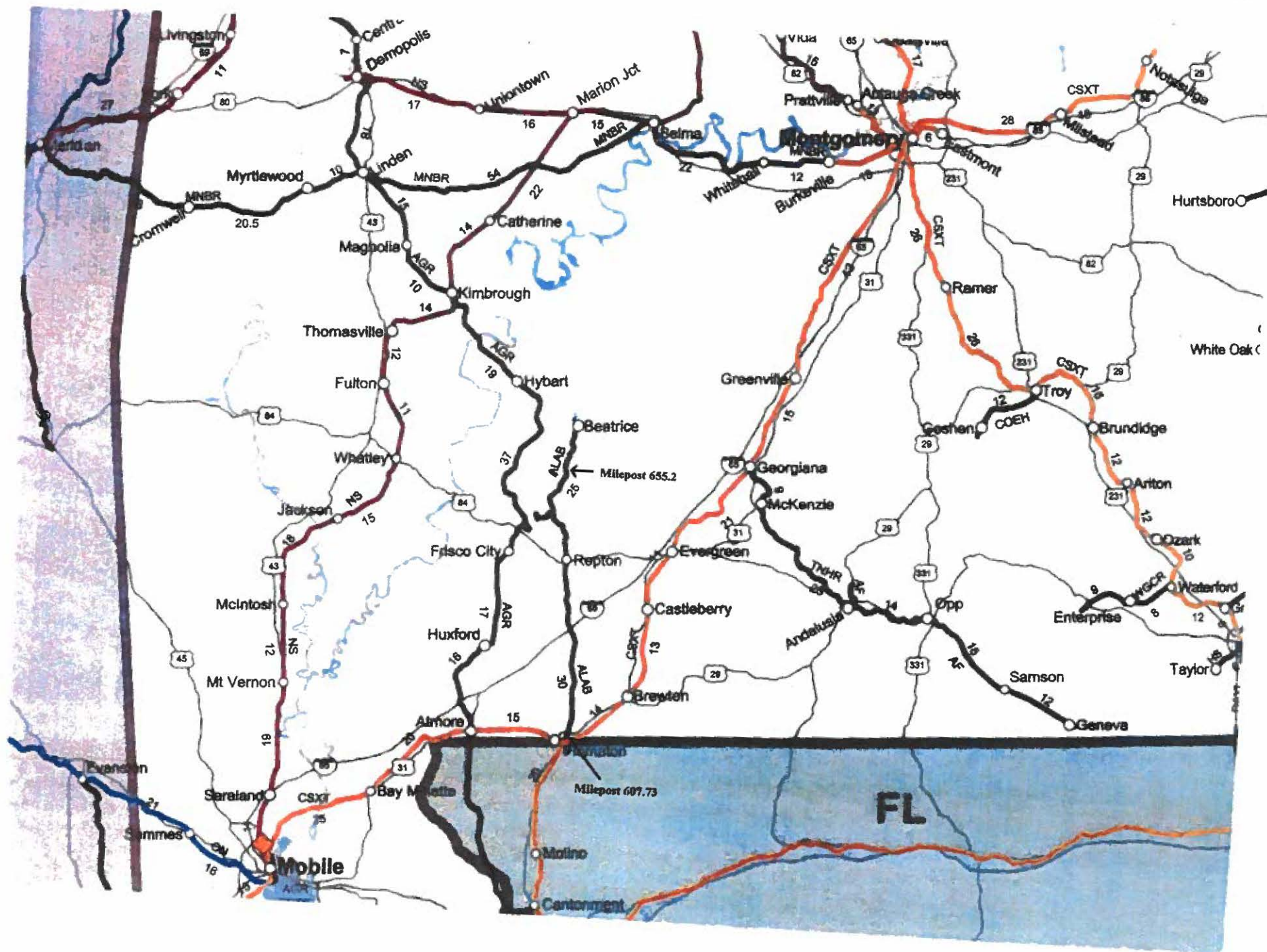
AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT B

MAP



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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
- ABANDONMENT EXEMPTION -
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT C

CERTIFICATES OF SERVICE/PUBLICATION

Certificate of Service of Advance Notice

49 C.F.R. § 1152.50(d)(1) – Notice

I certify that, on March 5, 2019 as required by 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of the intent of Alabama Railroad Co. (“ALAB”) to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, AL (the “Line”). I further certify that to the best of ALAB’s knowledge, the Line does not contain any federally granted right-of-way.

Public Service Commission, et al

Twinkle Andress Cavanaugh, President
Alabama Public Service Commission
PO Box 304260
Montgomery, AL 36130

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

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

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

The National Park Service, Recreation Resources Assistance Division

Stephan Nofield
National Park Service
Rivers & Trails Conservation Program
1849 C Street NW
Washington, D.C. 20240
(202) 354-6900

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

Chief Vicki Christiansen
USDA Forest Service
U.S. Department of Agriculture
1400 Independence Ave, SW
Washington, DC 20250

March 29, 2019



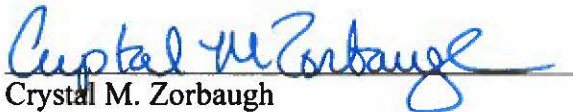
Crystal M. Zorbaugh
Attorney for Alabama Railroad Co.

Certificate of Newspaper Publication

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

I certify that a “Notice of Intent to Abandon Rail Service” was published in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12) in two newspapers of general circulation, which collectively cover Escambia, Conecuh, and Monroe Counties, Alabama. The notice was published one time on March 10, 2019 in the Mobile Press Register and one time on March 13, 2019 in the The Brewton Standard.

March 29, 2019


Crystal M. Zorbaugh
Attorney for Alabama Railroad Co.

State of Alabama,) ss

County of Mobile)

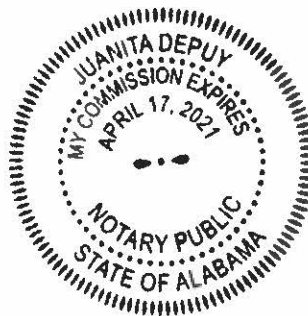
Larry Leibengood being duly sworn, deposes that he/she is principal clerk of Alabama Media Group; that Press Register is a public newspaper published in the city of Mobile, with general circulation in Mobile County, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

Press Register 03/10/2019

Larry A. Leibengood
Principal Clerk of the Publisher

Sworn to and subscribed before me this 11th day of March 2019

Juanita Depuy
Notary Public



**NOTICE OF INTENT TO
ABANDON RAIL SERVICE
AB-463 (Sub-No. 2X)**

Alabama Railroad Co. ("ALAB") gives notice that on or about March 25, 2019, it intends to file with the Surface Transportation Board ("Board"), Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152 Subpart F - Exempt Abandonments, permitting ALAB to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe Counties, in AL (the "Line"). The Line traverses United States Postal Zip Code territories 36426, 36441, 36460, 36471, and 36475. There are no customers served on the Line, which has been out of service for over two years. The proceeding has been docketed as AB-463 (Sub-No. 2X).

The proposed action entails the abandonment of rail service over the Line. For abandonments, the Board's Office of Environmental Analysis ("OEA") generally will prepare an Environmental Assessment ("EA"), which normally will be available 25 days after the filing of the abandonment 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. Such comments 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 OEA, Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423, or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance ("OFA") 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 public use, and OFA) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 C.F.R. § 1104.12(a)]. Questions regarding OFAs, public use or trails use may be directed to the

Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Crystal M. Zorbaugh, BAKER & MILLER PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037; phone: 202-663-7820; fax 202-663-7849.

PRESS REGISTER
March 10, 2019

Publisher's Certificate of Publication

STATE OF ALABAMA COUNTY OF ESCAMBIA

Kendra Majors, being duly sworn, on oath says she is and during all times herein stated has been an employee of The Brewton Standard (the "Newspaper"), has full knowledge of the facts herein stated as follows:

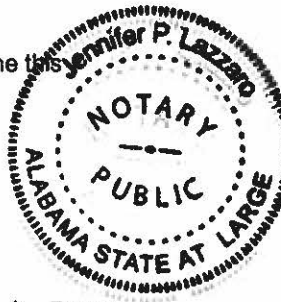
- 1) The Newspaper printed a copy of the matter attached (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

March 13, 2019
- 2) The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.
- 3) There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit to said officer or attorney.

Kendra Majors

Kendra Majors, publisher
Subscribed and sworn to before me this
14th Day of March, 2019

Jennifer P. Lazzaro
Jennifer Lazzaro, Notary Public
State of Alabama at large
My commission expires on 3-6-2025



AD# 749625

BAKER AND MILLER
2401 PENNSYLVANIA AVE., NW,
SUITE 300
Washington, D.C. 20037

**NOTICE OF INTENT TO
ABANDON RAIL SERVICE**
AB-463 (Sub-No. 2X)
Alabama Railroad Co. ("ALAB")
gives notice that on or about
March 25, 2019, it intends to
file with the Surface Transpor-
tation Board ("Board"), Wash-
ington, DC 20423, a Notice
of Exemption pursuant to 49
C.F.R. Part 1152 Subpart F -
Exempt Abandonments, per-
mitting ALAB to abandon an
approximately 47.5-mile long
rail line, which extends from ap-
proximately milepost 607.73 (at
Floriston, AL) to approxi-
mately milepost 655.2 (near Tunnel
Springs, AL), including all sid-
ings and the Mt. Junction Spur
between station stations
6+00 and 90+81 in Escambia,
Conecuh, and Monroe Coun-
ties, in AL (the "Line"). The Line
traverses United States Postal
Zip Code territories 36426,
36441, 36460, 36471, and
36475. There are no custom-
ers served on the Line, which
has been out of service for over
two years. The proceeding
has been docketed as AB-463
(Sub-No. 2X).
The proposed action entails
the abandonment of rail ser-
vice over the Line. For aban-
donments, the Board's Office
of Environmental Analysis
("OEA") generally will prepare
an Environmental Assessment
("EA"), which normally will be
available 25 days after the
filing of the abandonment no-
tice of exemption. Comments
on environmental and energy
matters should be filed no later
than 15 days after the EA be-
comes available to the public.
Such comments will be ad-
dressed in a Board decision.
Interested persons may obtain
a copy of the EA or make in-
quiries regarding environmen-
tal matters by writing to OEA,
Surface Transportation Board,
395 E Street, SW, Washington,
D.C. 20423, or by calling that
office at (202) 245-0295.
Appropriate offers of financial
assistance ("OFA") to continue
rail service can be filed with the
Board. Requests for environ-
mental conditions, public use
conditions, or rail banking/trails
use also can be filed with the
Board. An original and 10 cop-
ies of any pleading that raises
matters other than environmen-
tal issues (such as trails public
use, and OFA) must be filed
directly with the Board's Sec-
tion of Administration, Office
of Proceedings, 395 E Street,
S.W., Washington, DC 20423
[See 49 C.F.R. §§ 1104.1(a)
and 1104.3(a)], and one copy
must be served on applicant's
representative [See 49 C.F.R.
§ 1104.12(a)]. Questions re-
garding OFAs, public use or
trails use may be directed to
the Board's Office of Public As-
sistance, Governmental Affairs,
and Compliance at 202-245-
0230. Copies of any comments
or requests for specific Board
action should be served on
the applicant's representative:
Crystal M. Zorbaugh, BAKER
& MILLER PLLC, 2401 Penn-
sylvania Ave., N.W., Suite 300,
Washington, DC 20037; phone:
202-663-7620; fax 202-663-
7849.

The Brewton Standard
March 13, 2019

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

EXHIBIT D

CERTIFICATE OF COMPLIANCE WITH ENVIRONMENTAL AND HISTORIC REPORT REQUIREMENTS

Environmental and Historic Report
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in AB-463 (Sub-No. 2x) was mailed via first class mail on February 27, 2019 to the following parties:

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

Alabama Highway Department
1409 Coliseum Boulevard, Room K-101
Montgomery, AL 36130

Lance R. LeFleur
Alabama Dept. of Environmental Management
Director's Office
P.O. Box 301463
Montgomery, AL 36130-1463

Alabama Dept. of Environmental Management
Attn: Coastal Program
3664 Dauphin Street, Suite B
Mobile, Alabama 36608

The Honorable Greg Norris Judge & President
Monroe County Commission
P.O. Box 665
Monroeville, AL 36461

Conecuh County Commission
204 N Main St
Evergreen, AL 36401

Mayor Terri Carter
City of Repton
1524 Conaly St
Repton, AL 36475

Escambia Board of County Commissioners
Post Office Box 848
Brewton, AL 36427

Mayor Dewey Bondurant Jr.
2125 Ringold Street
P.O. Box 632
Flomaton, Alabama 36441

Mary S. Walker, Acting Regional
Administrator
Regional EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW
Room 9125
Atlanta, GA 30303-8960

U. S. Fish and Wildlife Services
Region 4
Richard B. Russell Federal Building
1875 Century Boulevard, NE Suite 400
Atlanta, GA 30345

U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628-0001

Sheri Jackson
Southeast Regional Program Manager
National Park Service
Southeast Region
100 Alabama Street, SW
Atlanta, GA 30303

Stephan Nofield
Program Manager
National Park Service
Rivers and Trails Conservation Program
1849 C Street NW
Washington, D.C. 20240

USDA Natural Resources Conversation
Service,
1400 Independence Ave SW, #5105-A
Washington, DC 20250

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

Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36104

A handwritten signature in cursive script, reading "Crystal M. Zorbaugh", followed by a long horizontal flourish line.

Crystal M. Zorbaugh
February 27, 2019

ATTACHMENT 1
ENVIRONMENTAL AND HISTORIC REPORT
INCLUDING SAMPLE TRANSMITTAL LETTER

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

February 27, 2019

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

RE: Alabama Railroad Co. – Abandonment Exemption – In Escambia, Conecuh, and Monroe Counties, in Alabama, AB-463 (Sub-No. 2X)

Dear Sir or Madam:

On or about March 25, 2019, Alabama Railroad Co. (“ALAB”)¹ expects to file with the Surface Transportation Board (“STB”) a notice of exemption seeking authority to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL (the “Line”).

Enclosed is a Combined Environmental and Historic Report (“E&HR”) which describes the proposed abandonment and other pertinent information. A map of the proposed abandonment can be found in Appendix A to the E&HR. Appendix B of the E&HR lists the various agencies receiving the document. Appendix C of the E&HR lists the various agency responses, if any has been received as of the date of this letter.

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

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

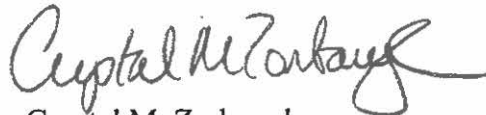
ALAB is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the above-captioned proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Office of Environmental Analysis (OEA) by telephone at (202) 245-0245 or by mail to:

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

Please refer to docket AB-463 (Sub-No. 2X) when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments to the STB with a copy to us would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input on ALAB's proposed abandonment of the Line prior to filing with the STB, ALAB must receive your comments within three weeks. If you have any questions, please contact me, NSR's representative, by mail at: Crystal Zorbaugh, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: czorbaugh@bakerandmiller.com; or by telephone: (202) 663-7831. If I am not available, you may also contact William Mullins, who can be reached at (202) 663-7820 or by e-mail at wmullins@bakerandmiller.com.

Sincerely,



Crystal M. Zorbaugh
An Attorney for Alabama Railroad Co.

Enclosure

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

Alabama Railroad Co. (“ALAB”)¹ submits this Combined Environmental and Historic Report (“E&HR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with ALAB’s proposed abandonment of an approximately 47.5 mile long rail line that extends between approximately milepost 607.73 (at Flomaton, AL) and approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81.²

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

² ALAB acquired the Line in October of 1991 in Alabama Railroad Co. – Acquisition and Operation Exemption – Wabash & Grand River Railway, FD 31943 (ICC served Oct. 10, 1991). ALAB originally acquired an approximately 60.7 mile rail line between milepost 607.73 (at Flomaton, AL) and milepost 666.3 (at Corduroy, AL). However, in 2013, ALAB was granted abandonment authority for the segment between milepost 655.2 (near Tunnel Springs, AL) and milepost 662.62 (near Beatrice, AL) in Alabama Railroad Co. – Abandonment Exemption – In Monroe County, AL, AB-463 (Sub-No. 1X) (STB served April 19, 2013). Previously, in 1995, ALAB abandoned the segment between milepost 662.62 (at Beatrice, AL) to milepost 666.3 (at Corduroy, AL). Alabama Railroad Co. – Abandonment Exemption – In Monroe County, AL, AB-463X (ICC served December 1, 1995). ALAB was brought into the Pioneer Railcorp corporate family in 1991. See Pioneer Railcorp Co., Inc. – Continuance in Control Exemption – Alabama Railroad Co., STB Finance Docket No. 31944 (STB served October 10, 1991).

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(1)

Proposed Action and Alternatives

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

RESPONSE: ALAB seeks to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL. There are no customers served on the Line. The Line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. When the rail and track material is removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, ALAB believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be recycled in accordance with applicable federal and state laws and regulations. The Line has been out of service for over two years, and ALAB may therefore avail itself of the abandonment exemption provisions set forth at 49 CFR part 1152, subpart F (Exempt Abandonments, *et al.*)

The only alternative to abandonment is to not abandon the Line and retain the track in place. This alternative is not satisfactory. ALAB would continue to incur opportunity and other holding costs that would need to be covered by non-existent shippers were the Line to be retained. Additionally, retaining the Line would frustrate ALAB's and, by extension, Pioneer's plans to extract value from otherwise unused assets, and, as appropriate, to re-deploy certain of the Line's rail assets on other Pioneer-controlled railroads.

A map depicting the Line is attached as **Appendix A**. An example of ALAB's letter to federal, state and local government agencies along with a list of the consulting agencies that ALAB has contacted is attached as **Appendix B**. Any comments received as a result of ALAB's written requests for feedback can be found in **Appendix C**.

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

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

RESPONSE: The Line has had no freight traffic for over two years, and, for this reason, the proposed abandonment will not affect regional or local transportation systems/patterns. No

passenger or freight traffic would be diverted to other systems or modes as a result of the proposed action.

49 CFR 1105.7(e)(3) Land use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

RESPONSE: ALAB believes that the proposed abandonment is consistent with, and would promote, existing land use plans. The land adjoining the Line consists of rural open lands (fields), rolling hills, and forested areas.

On February 27, 2019, copies of the E&HR were mailed to appropriate local and state contacts, including The Honorable Greg Norris (Judge of Probate & President of the Monroe County Commission), the Conecuh County Commission, Mayor Terri Carter (Mayor for the City of Repton), the Escambia Board of County Commissioners, and Mayor Dewey Bondurant Jr. (Flomaton Town Council). See E&HR Consultation Letter Example and Service List, attached as Appendix B.

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

RESPONSE: ALAB does not believe that the proposed abandonment would adversely affect any prime agricultural land. As indicated above, the land through which the Line traverses includes flat terrain and rolling hills. Nevertheless, ALAB has notified the United States Department of Agriculture's Natural Resources Conservation Service of the proposed abandonment by letter dated February 27, 2019 (to which letter this E&HR was appended), soliciting input on the proposed abandonment's potential effects on prime agricultural land. See E&HR Consultation Letter Example and Service List, attached as Appendix B.

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

RESPONSE: Based on the Line's location, ALAB does not believe the proposed abandonment would be subject to review under the state's coastal zone management plan. Regardless, ALAB has notified the Alabama Department of Environmental Management's Coastal Program of the proposed abandonment by letter dated February 27, 2019 (to which letter this E&HR was appended), soliciting input on the proposed abandonment's potential effects on coastal zones within the state. See E&HR Consultation Letter Example and Service List, attached as Appendix B.

(iv) If the proposed action is an abandonment state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.

RESPONSE: ALAB has a mix of fee simple, easement, and other types of real property interest in the right-of-way underlying the Line proposed for abandonment. ALAB believes that the

Line might be suitable for alternate public use. The Line does not contain any federally granted right-of-way.

49 CFR 1105.7(e)(4) Energy.

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

RESPONSE: There has been no local or overhead traffic on the Line for over two years, and, for this reason, the proposed abandonment will have no effect on the transportation of energy resources.

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

RESPONSE: Because there has been no rail common carrier transportation provided over the Line for over two years, the proposed abandonment should have no effect on the transportation 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.

RESPONSE: The proposed action will not result in any material impact on overall energy efficiency because there has been no rail freight or passenger traffic originating or terminating on the Line for over two years.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

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

49 CFR 1105.7(e)(5) Air.

(i) If the proposed action will result in either:

(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

RESPONSE: The above thresholds will not be exceeded.

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

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

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

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

RESPONSE: ALAB is not designated as a non-attainment area and as such the above-stated thresholds are therefore inapplicable. Nevertheless, 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 restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone-depleting materials in the event of a collision or derailment.

RESPONSE: Not applicable.

49 CFR 1105.7(e)(6) Noise.

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more; or

(ii) An increase to a noise level of 65 decibels Ldn or greater.

If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement

communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety.

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

RESPONSE: Proposed abandonment of the Line will have no adverse impact on public health and safety.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

RESPONSE: No hazardous materials are expected to be transported, and, indeed, no freight traffic has moved over the Line in more than two years.

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

RESPONSE: ALAB has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in areas adjacent to the Line.

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

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

RESPONSE: ALAB does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. However, ALAB has notified the regional office of the U.S. Fish and Wildlife Service ("USF&W") in an effort to confirm whether the proposed abandonment will adversely affect endangered or threatened species or areas designated as critical habitat. A copy of this E&HR was attached to the letter sent to USF&W. See E&HR Consultation Letter Example and Service List, attached as Appendix B. Comments received as a result of ALAB's written requests for feedback can be found in Appendix C.

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

RESPONSE: Based on our research, ALAB is unaware of any wildlife sanctuaries or refuges, National or State parks or forests that would be adversely affected by the proposed abandonment. Nevertheless, ALAB has notified the National Park Service (“NPS”) of the proposed abandonment. A copy of the E&HR was attached to the letter sent to NPS. See E&HR Consultation Letter Example and Service List, attached as Appendix B. Comments received as a result of ALAB’s written requests for feedback can be found in Appendix C.

49 CFR 1105.7(e)(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

RESPONSE: ALAB does not intend to remove or alter the contour of the roadbed underlying the Line to be abandoned by way of excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. There are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment, so, for this reason also, the proposed abandonment will not result in water quality impacts. Consultation has been requested from the Alabama Department of Environmental Management (“ADEM”) and the United States Environmental Protection Agency (“EPA”) by letters dated February 27, 2019. A copy of the E&HR was attached to each of the letters. See E&HR Consultation Letter Example and Service List, attached as Appendix B. Comments received as a result of ALAB’s written requests for feedback can be found in Appendix C.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

RESPONSE: The geometry of the roadbed will not be altered and no in-stream work is contemplated. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. ALAB has contacted the U.S. Army Corps of Engineers –by letter dated February 27, 2019. A copy of the E&HR was attached to the letter. See E&HR Consultation Letter Example and Service List, attached as Appendix B.

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

RESPONSE: ALAB does not plan to remove or alter the roadbed underlying the Line, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. ALAB anticipates that the abandonment will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, ALAB has requested

input from the EPA and ADEM. A copy of the E&HR was attached to the letter. See E&HR Consultation Letter Example and Service List, attached as Appendix B.

49 CFR 1105.7(e)(10) Proposed Mitigation.

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

RESPONSE: Abandonment of the Line is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment, such as removal of rail, ties, and other railroad appurtenances. ALAB will undertake all reasonable mitigation associated with these activities as directed by the Board to ensure the abandonment does not produce adverse environmental impacts.

49 CFR 1105.7(e)(11) Additional Information for Rail Constructions.

RESPONSE: Not Applicable.

HISTORIC REPORT

49 CFR 1105.8(d)

PROPOSED ACTION AND ALTERNATIVES

ALAB seeks to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL. The Line has been out of service for over two years and there are no customers served on the Line.

The rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is and existing drainage systems will remain intact. When the rail and track material is removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, ALAB believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be recycled in accordance with applicable federal and state laws and regulations. The alternative to abandonment is to not abandon the Line and retain the track in place. This alternative is not satisfactory. ALAB would continue to incur opportunity and other holding costs that would need to be covered by non-existent shippers were the Line to be retained. Retaining the Line would also frustrate ALAB's and, by extension, Pioneer's plans to extract value from otherwise unused assets, and, as appropriate, to re-deploy certain of the Line's rail assets on other Pioneer-controlled railroads.

ADDITIONAL INFORMATION (REQUIRED BY 49CFR § 1105.8(d))

49 CFR § 1105.8(d)(1) - U.S.G.S. Topographic Map:

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

RESPONSE: Topographic maps depicting the location of the Line slated for abandonment and the location of structures that are believed to be 50 years old or older and that are located along the Line are attached as Appendix D. These maps are being supplied to the Alabama Historical Commission ("AHC"). There are 60 railroad structures (bridges) on the Line which may be 50 years old or older.

49 CFR § 1105.8(d)(2) - Written Description of Right of Way:

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

RESPONSE: The ROW is generally 100 ft, but there are few extra width parcels as the Line passes through towns along the main track centerline. The Line runs adjacent to lands of varying uses, ranging from forested open land to rural farmland. The topography is generally flat, with some rolling hills.

Pursuant to Surface Transportation Board policy, the railroad's right-of-way will constitute the Area of Potential Effect ("APE") for this undertaking.

49 CFR § 1105.8(d)(3) - Photographs:

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;

RESPONSE: There are 60 structures (bridges) on the Line. Photographs of those structures are attached as Appendix E. ALAB does not have any additional information in its possession (such as engineering diagrams or other records) that it believes would be useful in aiding in any historical structures analysis.

ALAB does not anticipate removing or dismantling any of the 60 bridges located on the Line.

49 CFR § 1105.8(d)(4) - Date of Construction of Structures:³

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;

RESPONSE: According to the limited information in ALAB's possession, the 60 structures (bridges) along the Line are believed to have been built at least 50 years ago. ALAB does not know when these bridges were built, and has no construction or engineering records that could aid in determining likely construction dates. ALAB has not undertaken any major improvements to these bridges during the term of ALAB's ownership.

49 CFR § 1105.8(d)(5) - History of Operations and Changes Contemplated:

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;

RESPONSE: The Line that is the subject of this abandonment proceeding constitutes the remainder of a branch line, which once extended from Flomaton, Alabama (and a connection there with CSXT) to Corduroy, AL, at its northern end. In 1991, CSX Transportation, Inc. ("CSXT") sold its roughly 61-mile-long branch line to the Wabash and Grand River Railway Co. ("WGRR").⁴ Later that same year, WGRR sold the entire branch to ALAB,⁵ with ALAB's corporate parent, Pioneer Railcorp, simultaneously obtaining regulatory authority to control ALAB as the newest addition to its short line family.⁶ In 1995, ALAB abandoned the northern portion of the branch from milepost 662.62 at Beatrice to milepost 666.3 at Corduroy.⁷ In 2013, ALAB was granted abandonment authority for the segment between milepost 655.2 (near Tunnel Springs, AL) and milepost 662.62 (near Beatrice, AL), resulting in the Line's current configuration.⁸

Aside from the more recent ownership history supplied above, ALAB has no historical records of its own relating to the Line. But, based upon initial research, the Line appears to be part of a branch line originally constructed as the Pensacola & Selma Railroad ("PSR"), which thereafter

³ The initial E&HR erroneously included reference to a tunnel. ALAB is clarifying in this revised E&HR that the only structures on the Line are the 60 bridges.

⁴ Wabash & Grand River Railway Co. – Acquisition and Operation Exemption – CSX Transportation, Inc., Line Between Flomaton and Corduroy, AL, FD 31868 (ICC served September 17, 1991).

⁵ Alabama Railroad Co. – Acquisition and Operation Exemption – Wabash & Grand River Railway, FD 31943 (ICC served October 10, 1991).

⁶ Pioneer Railcorp Co., Inc. – Continuance in Control Exemption – Alabama Railroad Co., FD 31944 (ICC served October 10, 1991).

⁷ Alabama Railroad Co. – Abandonment Exemption – In Monroe County, AL, AB-463X (STB served December 1, 1995).

⁸ Alabama Railroad Co. – Abandonment Exemption – In Monroe County, AL, AB-463 (Sub-No. 1X) (STB served April 19, 2013).

became a part of the Louisville & Nashville Railroad ("L&N"). L&N, in turn, ultimately became a part of CSXT.

ALAB intends, upon the effectiveness of the abandonment exemption, to terminate its rail common carrier obligation over, and to abandon, the Line. ALAB would salvage the rail and track material that possesses positive net salvage value, and potentially may opt to re-deploy salvaged items on other Pioneer-controlled rail lines. ALAB does not intend to dismantle or remove any of the 60 structures (bridges) along the Line. The right-of-way will either be disposed of or the easements will be relinquished (to the extent ALAB does not own in fee any portion of the subject right-of-way), or the corridor may be preserved under an interim trail use arrangement.

49 CFR § 1105.8(d)(6) – Summary of Historic Documents:

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;

RESPONSE: ALAB is one of many owners of the Line. ALAB was not supplied with, and does not have, engineering drawings of any of the 60 structures (bridges) located on the Line.

49 CFR § 1105.8(d)(7) – Opinion on Historical Significance:

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);

RESPONSE: As indicated above, ALAB's records indicate that there are 60 structures (bridges) on or adjacent to the Line which may be 50 years old or older. In ALAB's opinion, these structures would not meet the criteria for listing on the National Register of Historic Places. As the photographs supplied to AHC suggest, none of the subject structures appears to have unique or otherwise significant design characteristics. Moreover, none of these structures is linked to events or historic significance. ALAB understands that the 60 bridges could be used in the event that the Line's right-of-way was to be converted into a recreational trail. And, again, ALAB has no plans to remove or alter any of the bridges located along the Line (aside from possibly removing the rail and other track material located upon or along the structures).

ALAB is unaware of any archeological resources or any other previously unknown historic properties on the Line's right-of-way.

49 CFR § 1105.8(d)(8) – Conditions That Might Affect Archaeological Recovery

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

RESPONSE: ALAB has no records of, and is unaware of, any known subsurface ground disturbance or fill, or environmental conditions that might affect the recovery of archeological resources. Undoubtedly, track work and/or construction has occurred regularly over the many years that the Line has been in operation. Such work may have affected the potential for recovery of archeological resources.

49 CFR § 1105.8(d)(9) - Follow-Up Information

RESPONSE: Additional information will be provided as appropriate.

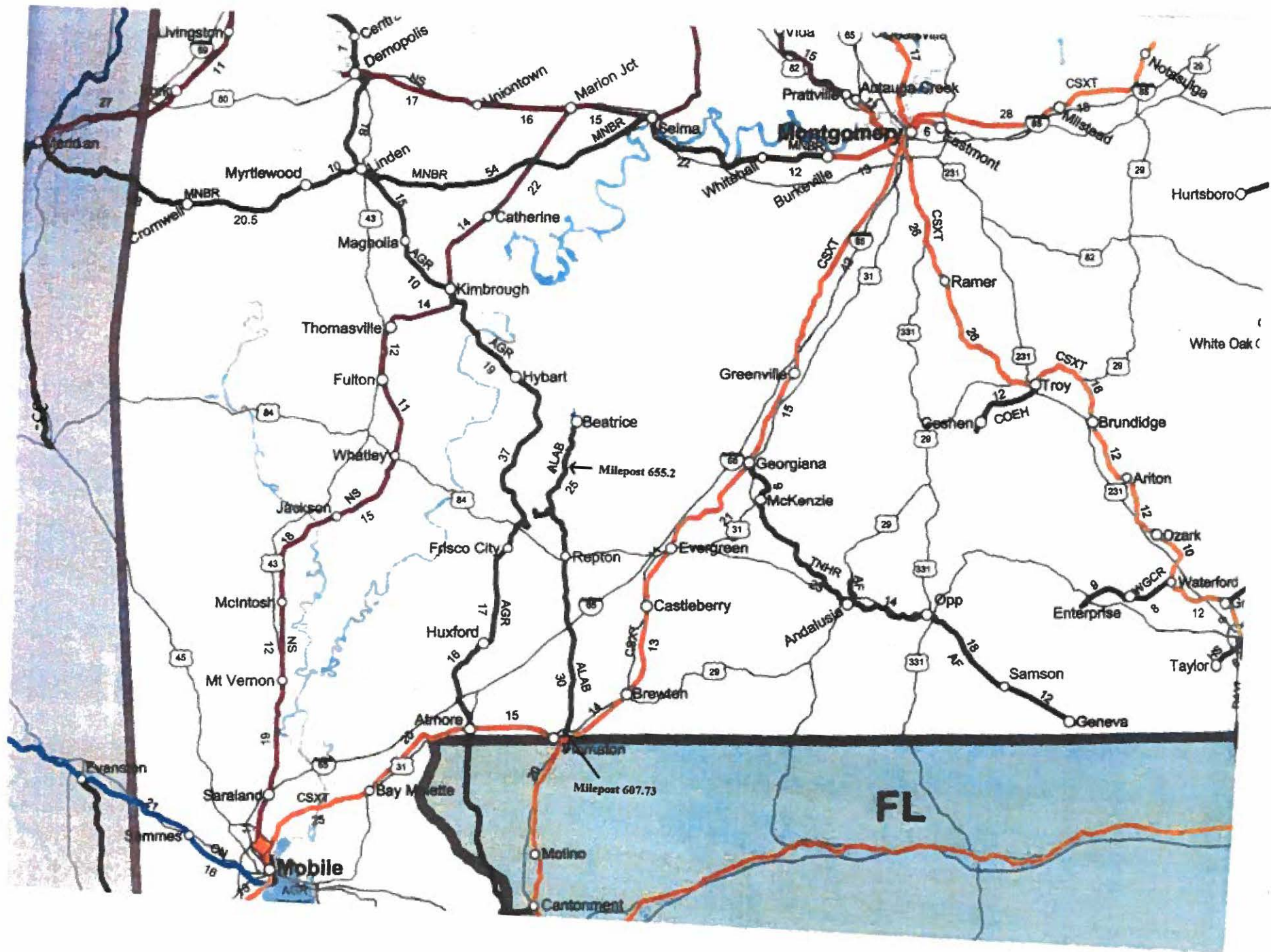
**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
- ABANDONMENT EXEMPTION -
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

APPENDIX A – LOCATION MAP



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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

**APPENDIX B
CONSULTATION LETTER [EXAMPLE] AND SERVICE LIST**

BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

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CRYSTAL M. ZORBAUGH

(202) 663-7831 (Direct Dial)

E-Mail: czorbaugh@bakerandmiller.com

February 27, 2019

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

RE: Alabama Railroad Co. – Abandonment Exemption – In Escambia, Conecuh, and Monroe Counties, in Alabama, AB-463 (Sub-No. 2X)

Dear Sir or Madam:

On or about March 25, 2019, Alabama Railroad Co. (“ALAB”)¹ expects to file with the Surface Transportation Board (“STB”) a notice of exemption seeking authority to abandon an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, in AL (the “Line”).

Enclosed is a Combined Environmental and Historic Report (“E&HR”) which describes the proposed abandonment and other pertinent information. A map of the proposed abandonment can be found in Appendix A to the E&HR. Appendix B of the E&HR lists the various agencies receiving the document. Appendix C of the E&HR lists the various agency responses, if any has been received as of the date of this letter.

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

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

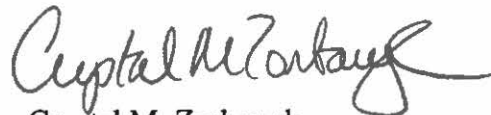
ALAB is providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of the above-captioned proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Office of Environmental Analysis (OEA) by telephone at (202) 245-0245 or by mail to:

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

Please refer to docket AB-463 (Sub-No. 2X) when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments to the STB with a copy to us would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input on ALAB's proposed abandonment of the Line prior to filing with the STB, ALAB must receive your comments within three weeks. If you have any questions, please contact me, NSR's representative, by mail at: Crystal Zorbaugh, Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by FAX: (202) 663-7849; by e-mail: czorbaugh@bakerandmiller.com; or by telephone: (202) 663-7831. If I am not available, you may also contact William Mullins, who can be reached at (202) 663-7820 or by e-mail at wmullins@bakerandmiller.com.

Sincerely,



Crystal M. Zorbaugh
An Attorney for Alabama Railroad Co.

Enclosure

**Environmental and Historic Report
Certificate of Service**

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in AB-463 (Sub-No. 2x) was mailed via first class mail on February 27, 2019 to the following parties:

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

Alabama Highway Department
1409 Coliseum Boulevard, Room K-101
Montgomery, AL 36130

Lance R. LeFleur
Alabama Dept. of Environmental Management
Director's Office
P.O. Box 301463
Montgomery, AL 36130-1463

Alabama Dept. of Environmental Management
Attn: Coastal Program
3664 Dauphin Street, Suite B
Mobile, Alabama 36608

The Honorable Greg Norris Judge & President
Monroe County Commission
P.O. Box 665
Monroeville, AL 36461

Conecuh County Commission
204 N Main St
Evergreen, AL 36401

Mayor Terri Carter
City of Repton
1524 Conaly St
Repton, AL 36475

Escambia Board of County Commissioners
Post Office Box 848
Brewton, AL 36427

Mayor Dewey Bondurant Jr.
2125 Ringold Street
P.O. Box 632
Flomaton, Alabama 36441

Mary S. Walker, Acting Regional
Administrator
Regional EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW
Room 9125
Atlanta, GA 30303-8960

U. S. Fish and Wildlife Services
Region 4
Richard B. Russell Federal Building
1875 Century Boulevard, NE Suite 400
Atlanta, GA 30345

U.S. Army Corps of Engineers
Mobile District
P.O. Box 2288
Mobile, AL 36628-0001

Sheri Jackson
Southeast Regional Program Manager
National Park Service
Southeast Region
100 Alabama Street, SW
Atlanta, GA 30303

Stephan Nofield
Program Manager
National Park Service
Rivers and Trails Conservation Program
1849 C Street NW
Washington, D.C. 20240

USDA Natural Resources Conversation
Service,
1400 Independence Ave SW, #5105-A
Washington, DC 20250

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

Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36104

A handwritten signature in dark ink, appearing to read "Crystal M. Zorbaugh", followed by a long horizontal flourish.

Crystal M. Zorbaugh
February 27, 2019

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

**APPENDIX C
COMMENTS RECEIVED FROM CONSULTING PARTIES**



Re: Alabama Railroad Co. - Abandonment Exemption, AB-463 (Sub-No. 2X)

Crystal Zorbaugh to: Militscher, Chris
Cc: Eleanor Castillo

03/19/2019 11:09 AM

Thank you, Chris. Appreciate the promptness of your response.

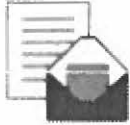
From: "Militscher, Chris" <Militscher.Chris@epa.gov>
To: "czorbaugh@bakerandmiller.com" <czorbaugh@bakerandmiller.com>
Date: 03/19/2019 11:02 AM
Subject: Alabama Railroad Co. - Abandonment Exemption, AB-463 (Sub-No. 2X)

Dear Ms. Zorbaugh: The U.S. Environmental Protection Agency (EPA) Region 4 NEPA Program Office has reviewed the Combined Environmental and Historic Report dated 2/27/19, for the above referenced action which is located in Escambia, Conecuh, and Monroe Counties, Alabama. Based upon this review, the EPA did not identify any significant environmental impacts associated with the proposed 47.5-mile rail line abandonment. Thank you for the opportunity to comment. If you have any questions, please feel free to contact me from the information below.

Sincerely,

Christopher A. Militscher
Chief, NEPA Program Office
USEPA Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960
Militscher.chris@epa.gov
404-562-9512





Fw: [EXTERNAL] Re: E&HR ALAB abandonment exemption - Escambia, Conecuh, Monroe Counties
Crystal Zorbaugh to: Eleanor Castillo

03/19/2019 11:10 AM

From: "Barrett, John" <john_barrett@nps.gov>
To: <CZorbaugh@bakerandmiller.com>
Date: 03/13/2019 10:34 AM
Subject: Re: [EXTERNAL] Re: E&HR ALAB abandonment exemption - Escambia, Conecuh, Monroe Counties

Thank you Crystal.

John

John Barrett
Program Manager
Federal Lands to Parks
National Park Service, Southeast Region
100 Alabama St., SW
Atlanta, GA 30303
john_barrett@nps.gov | 404 507 5689
www.nps.gov/flp

On Wed, Mar 13, 2019 at 10:07 AM <CZorbaugh@bakerandmiller.com> wrote:

Good Morning Mr. Barrett,

Yes, the Alabama State Historic Preservation Office was also sent a copy of the report. A complete list of the parties sent the report is included in the E&HR. Please let me know if you have further questions.

Best,

Crystal

From: "Barrett, John" <john_barrett@nps.gov>
To: <CZorbaugh@bakerandmiller.com>
Date: 03/13/2019 10:03 AM
Subject: E&HR ALAB abandonment exemption - Escambia, Conecuh, Monroe Counties

Crystal,

We're in receipt of your E&HR package concerning ALAB's expected filing of an abandonment exemption from STB for the rail line in portions of Escambia, Conecuh, and Monroe Counties, Alabama.

I don't anticipate that this office will have any comments on the report. However, did you provide a copy to the Alabama State Historic Preservation Office? If not, that office should be provided a copy of your report for review and comment.

Thank you.

John Barrett

John Barrett
Program Manager
Federal Lands to Parks
National Park Service, Southeast Region
100 Alabama St., SW
Atlanta, GA 30303

john_barrett@nps.gov | 404.507.5689

www.nps.gov/flp



United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

IN REPLY REFER TO:
2019-TA-0596

MAR 27 2019

Ms. Crystal M. Zorbaugh
Baker& Miller PLLC
2401 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20037

Dear Ms. Zorbaugh:

Thank you for your letter, dated February 27, 2019, requesting comments regarding potential critical habitat and/or endangered species that may be impacted by the Alabama Railroad Co. Abandonment Exemption in Escambia, Conecuh, and Monroe Counties, in Alabama, AB-463 (Sub-No. 2X). We further understand that the Line's rail and related track material will be salvaged, along the approximately 47.5 miles of rail line associated with the Abandonment Exemption. Our report is submitted under the provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e) and the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq).

Federally Listed Species

Our records indicate that the following endangered, threatened, or candidate species may occur in the project area:

- E - Gray bat (*Myotis grisescens*)
- E - Indiana bat (*Myotis sodalis*)
- T - Red Hills salamander (*Phaeognathus hubrichti*)
- T - Orange-nacre mucket (*Hamiota perovalis*)

Based on the information in our records and your letter, we would not expect any impacts to any of the federally listed species. However, in areas, suitable habitat for Red Hills salamanders is known to be adjacent to the rail line and within the right-of way, in Monroe County. In these areas we recommend that no equipment or materials be stored or place on any steep slopes (inclines or declines). We recommend use of best management practices to protect suitable habitat and conserve these species. For information on best management practices specific to your project please go to <http://www.fws.gov/daphne/section7/bmp.html>.

Ms. Crystal Zorbaugh

2

For questions or comments regarding this correspondence, please contact Mr. Matt Laschet, at (251) 441-5842 or via email matthias_laschet@fws.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "William J. Pearson".

William J. Pearson

Field Supervisor

Alabama Ecological Services Field Office

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

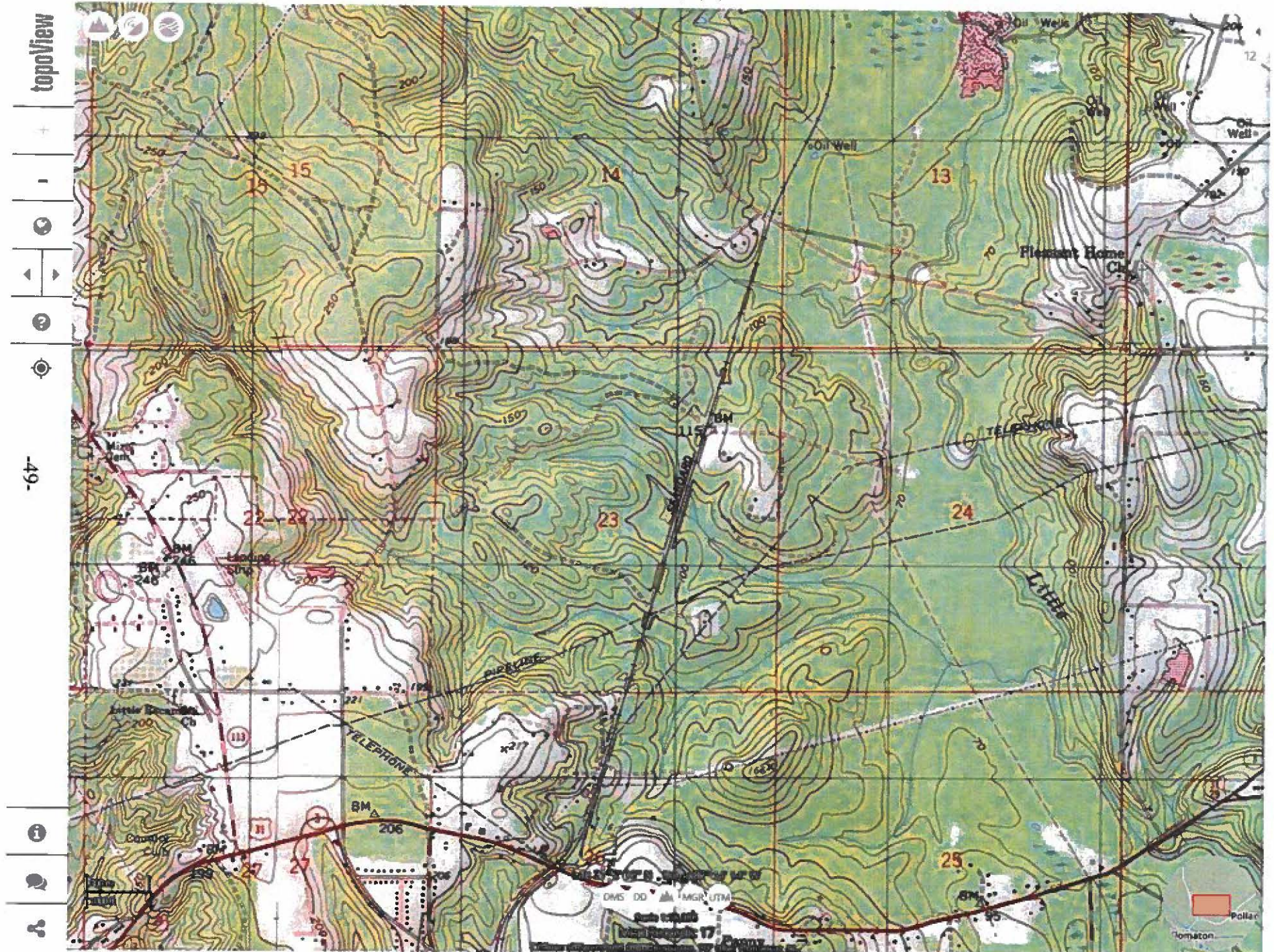
AB-463 (Sub-No. 2X)

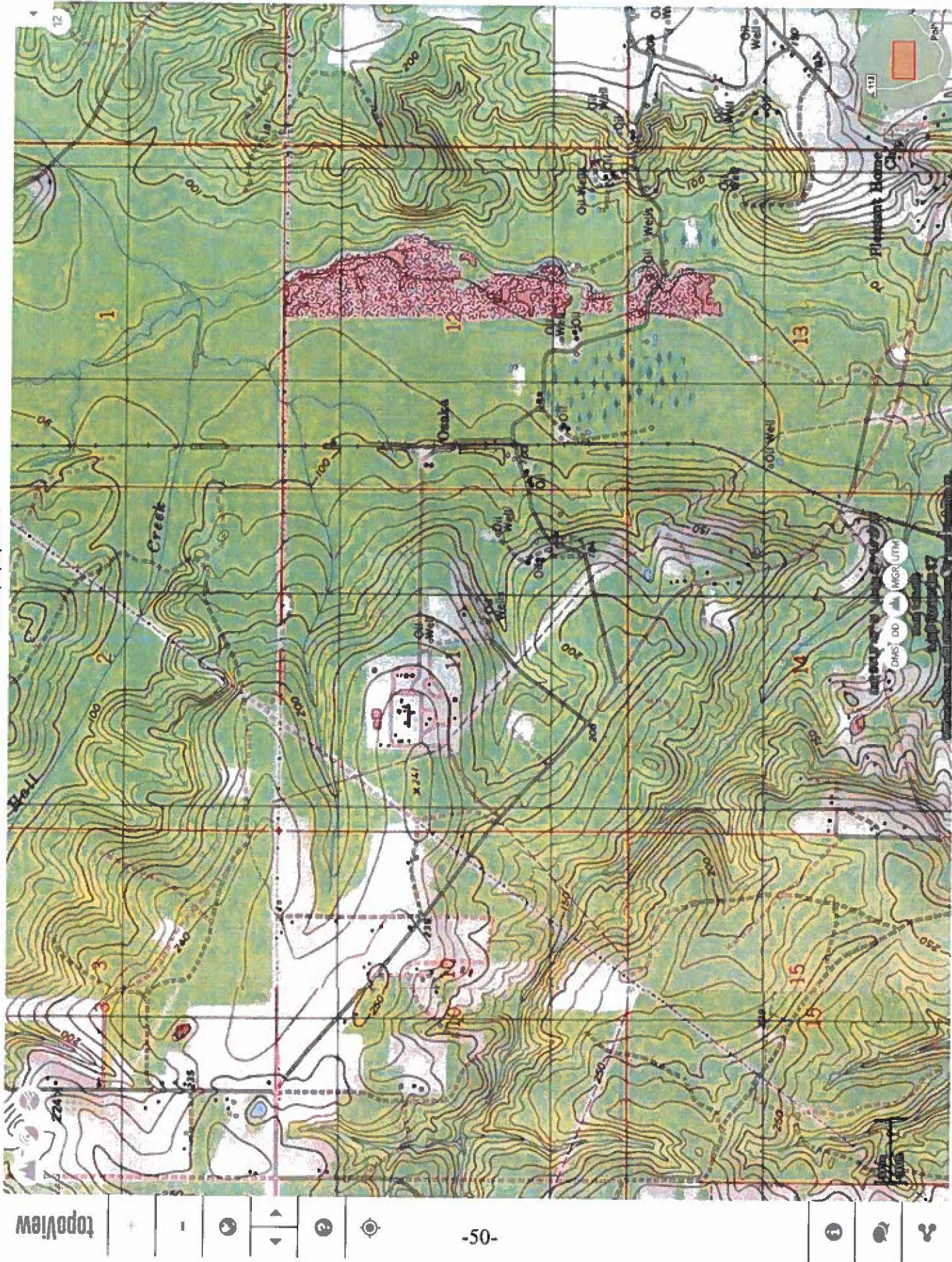
**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

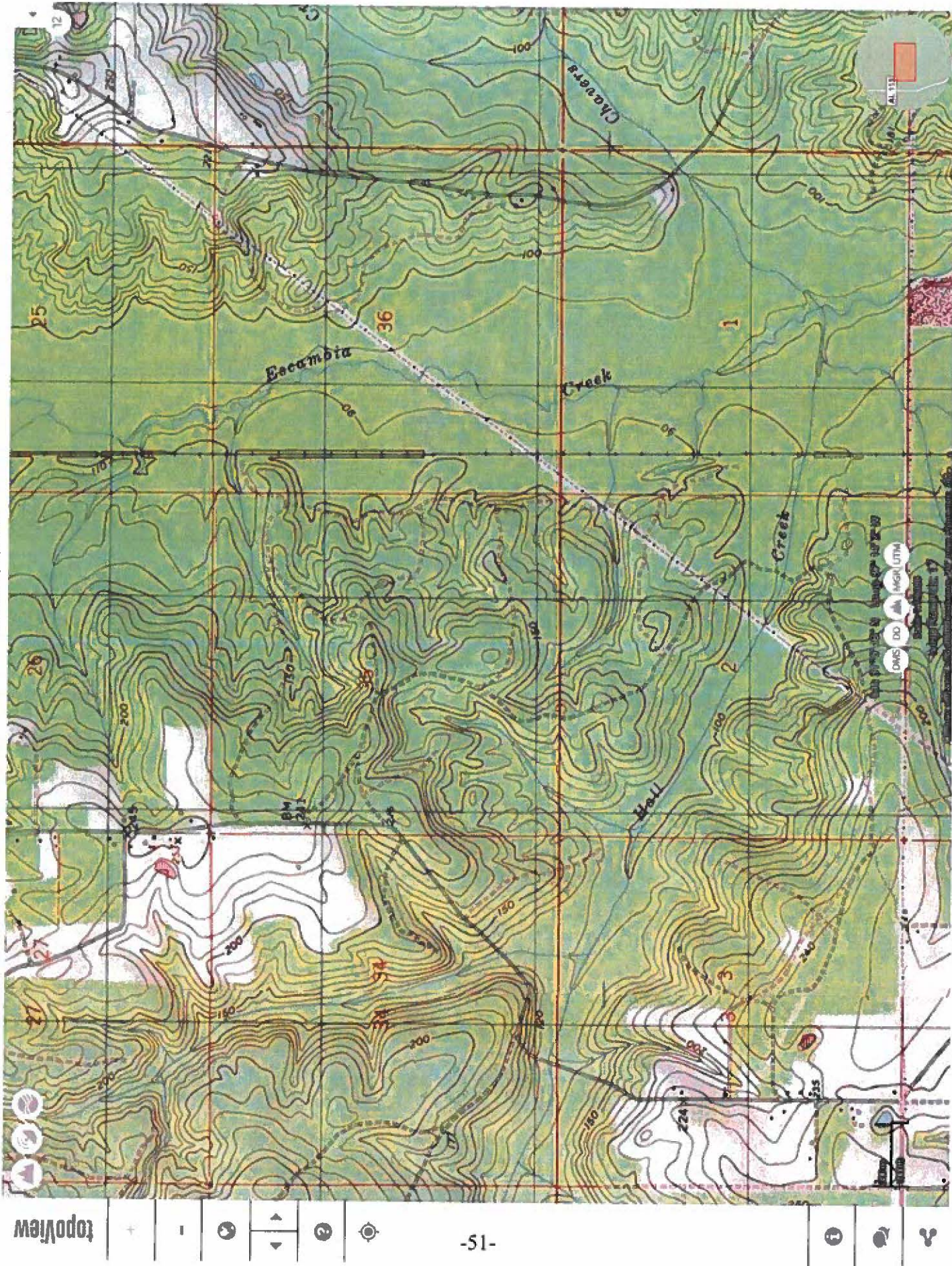
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

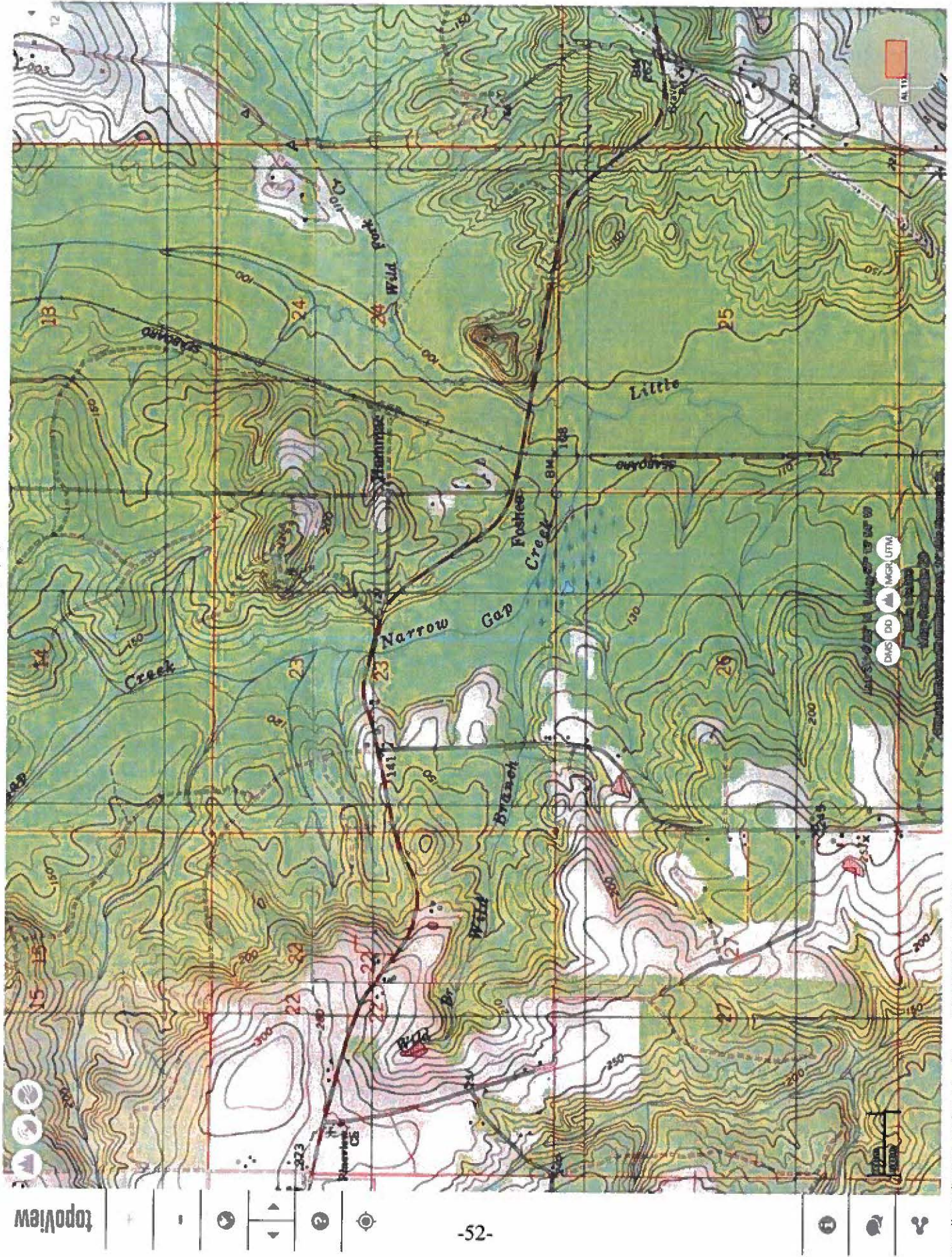
**APPENDIX D
U.S.G.S TOPOGRAPHIC MAPS**

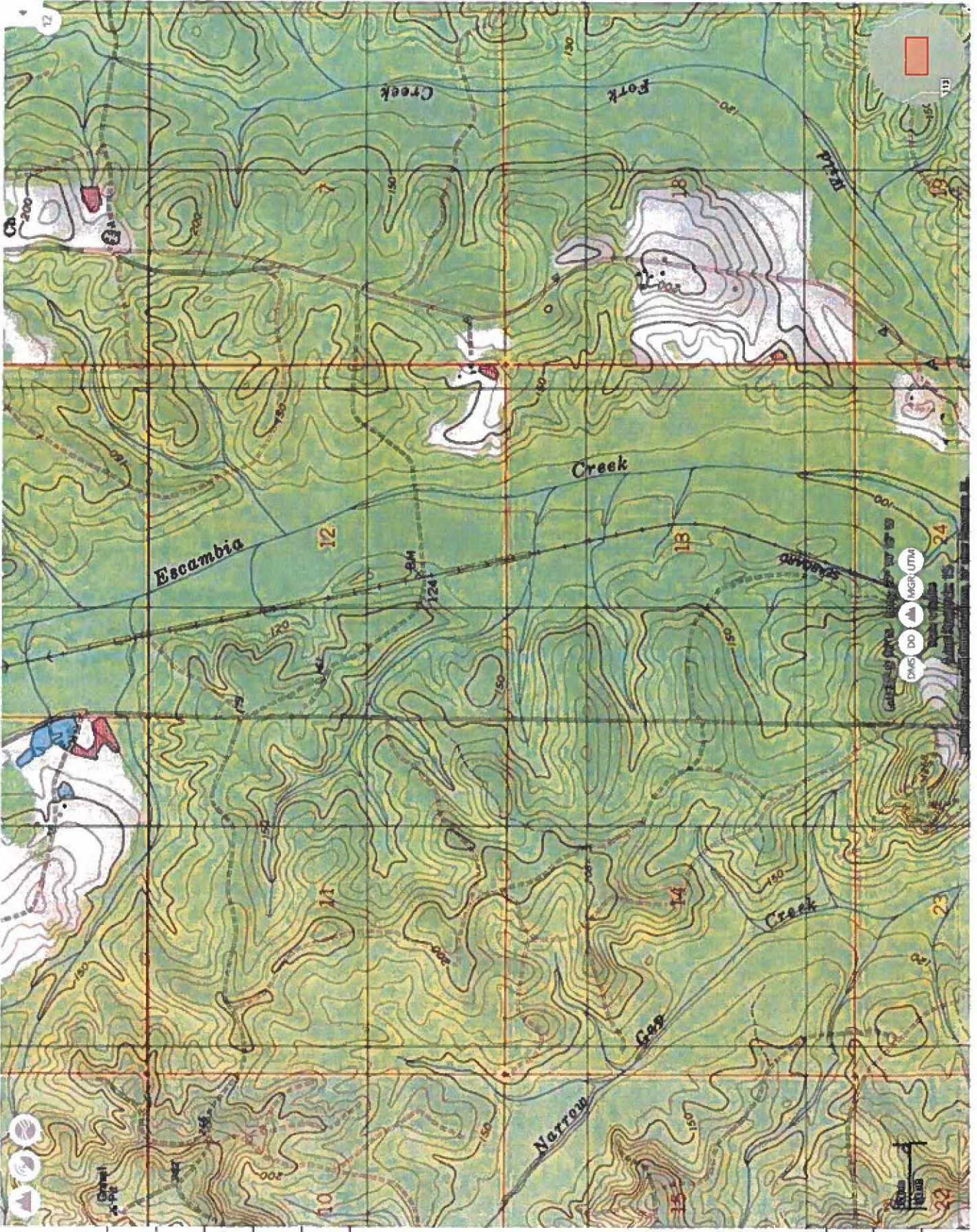










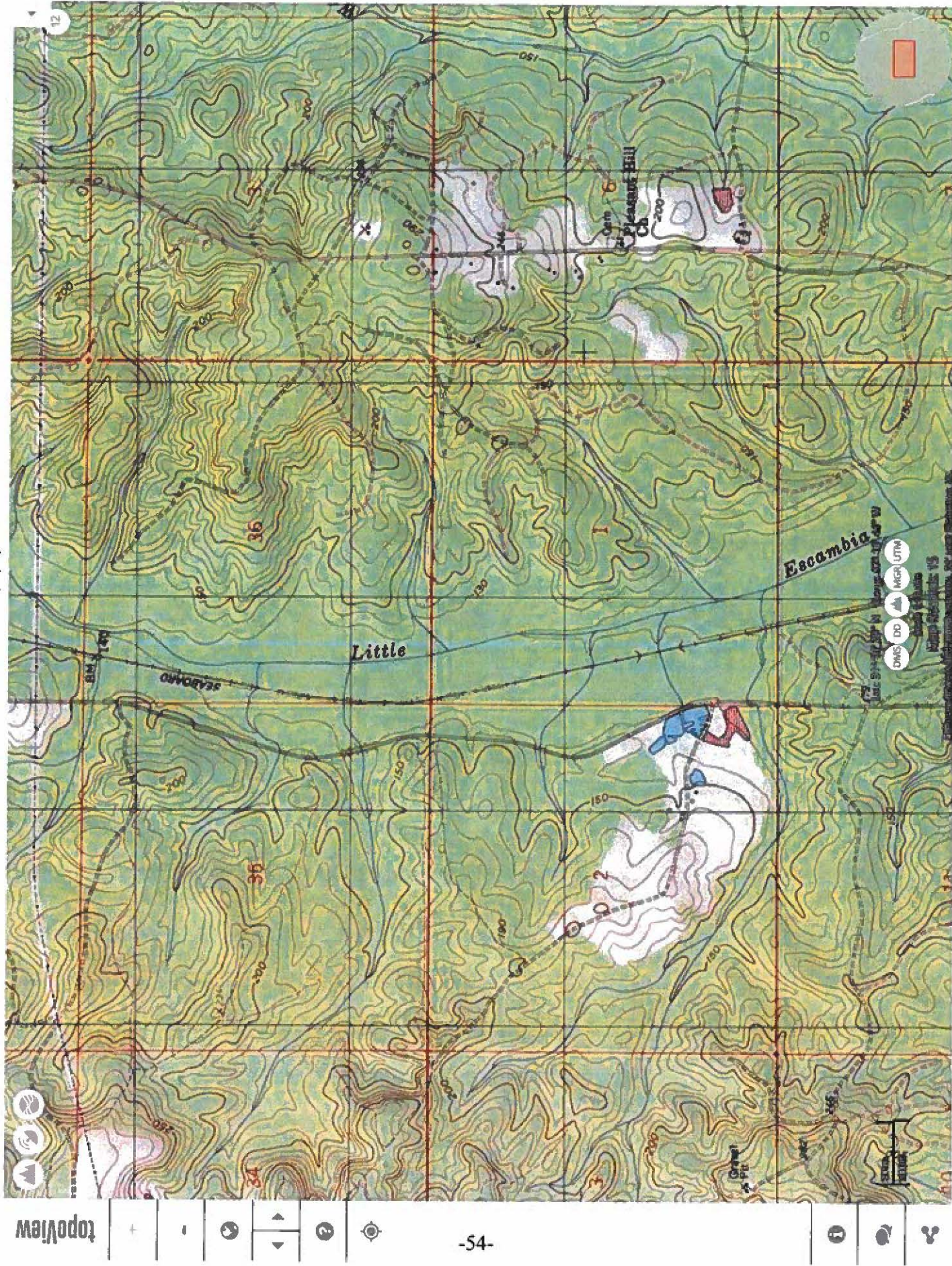


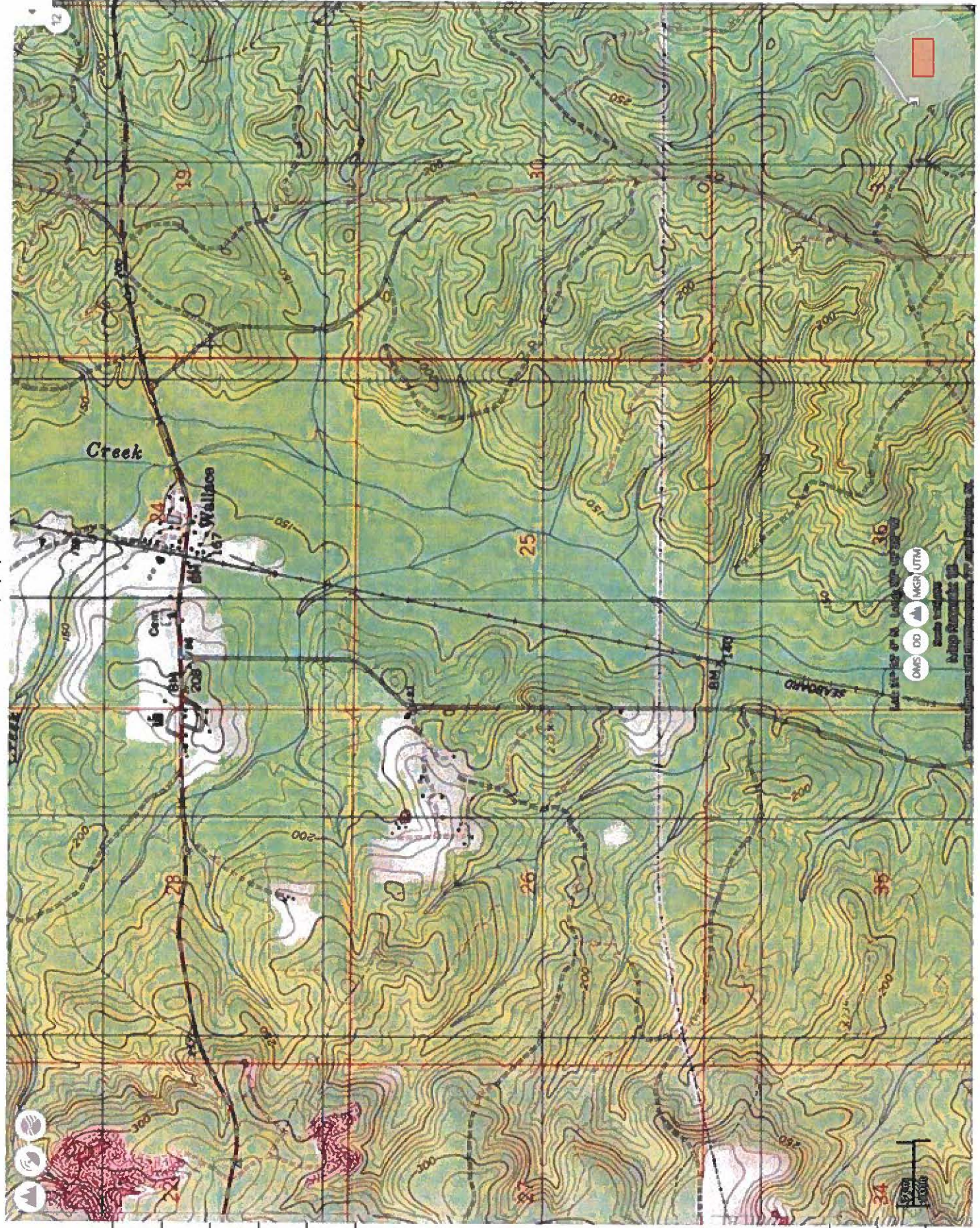
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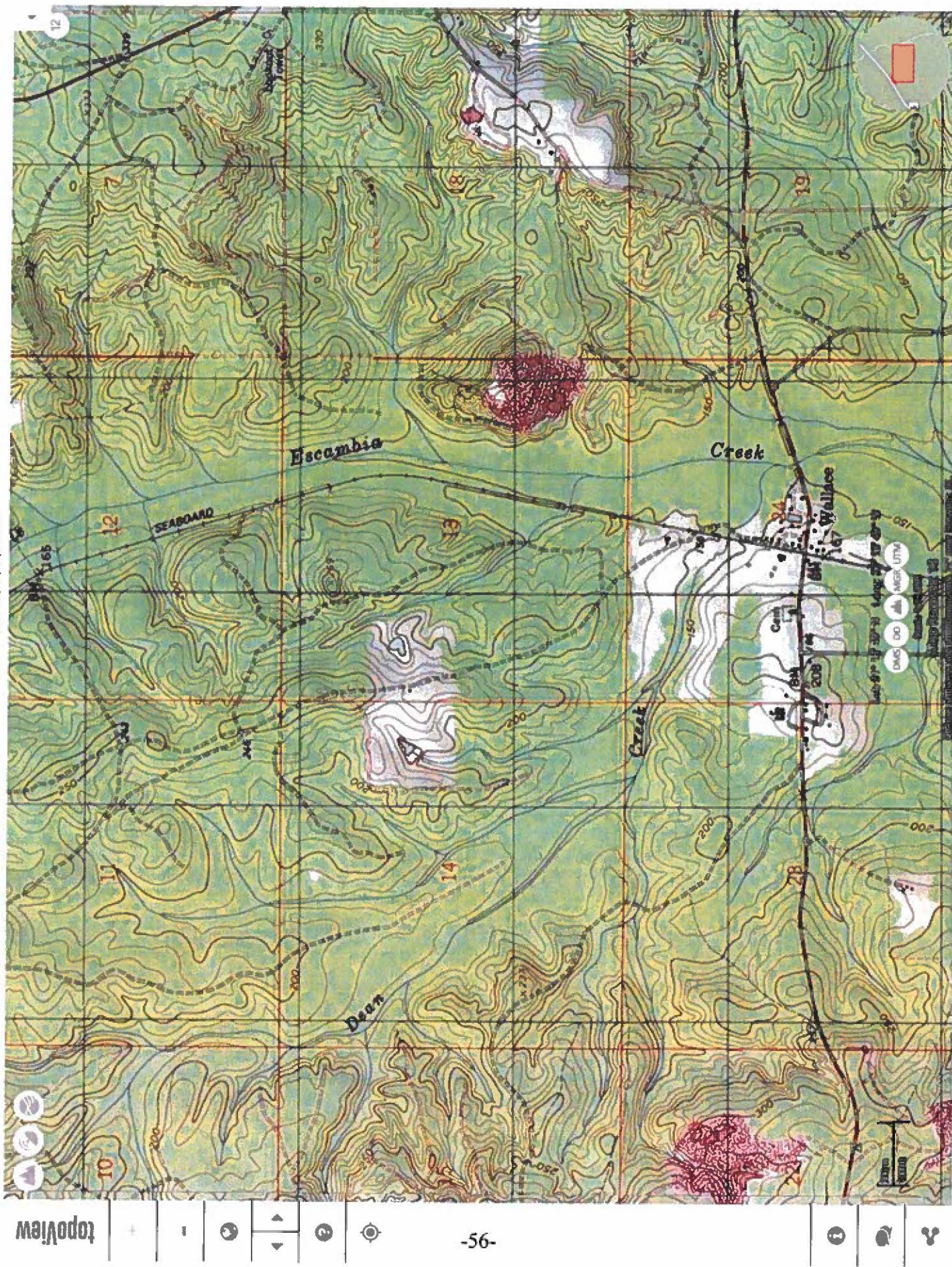


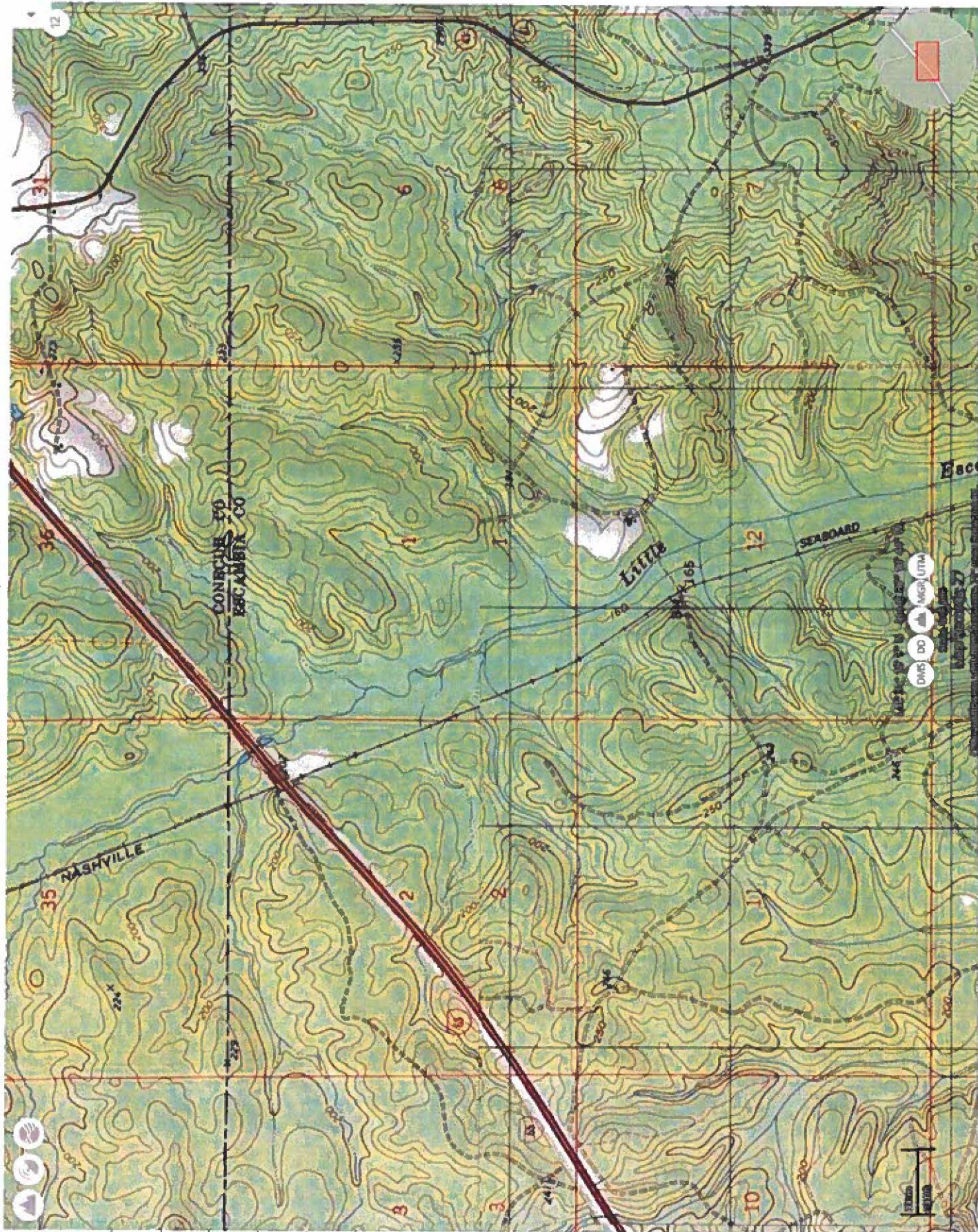
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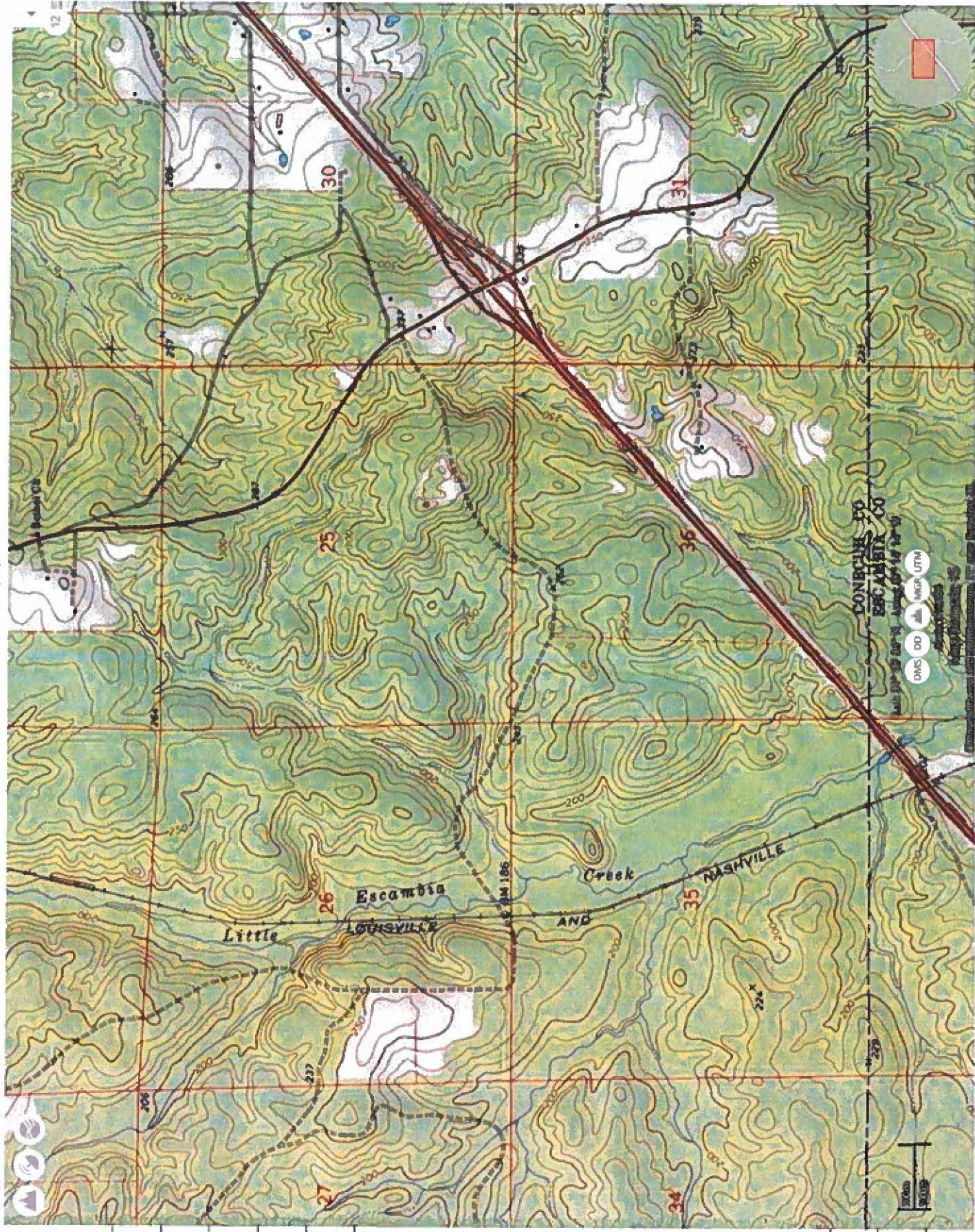




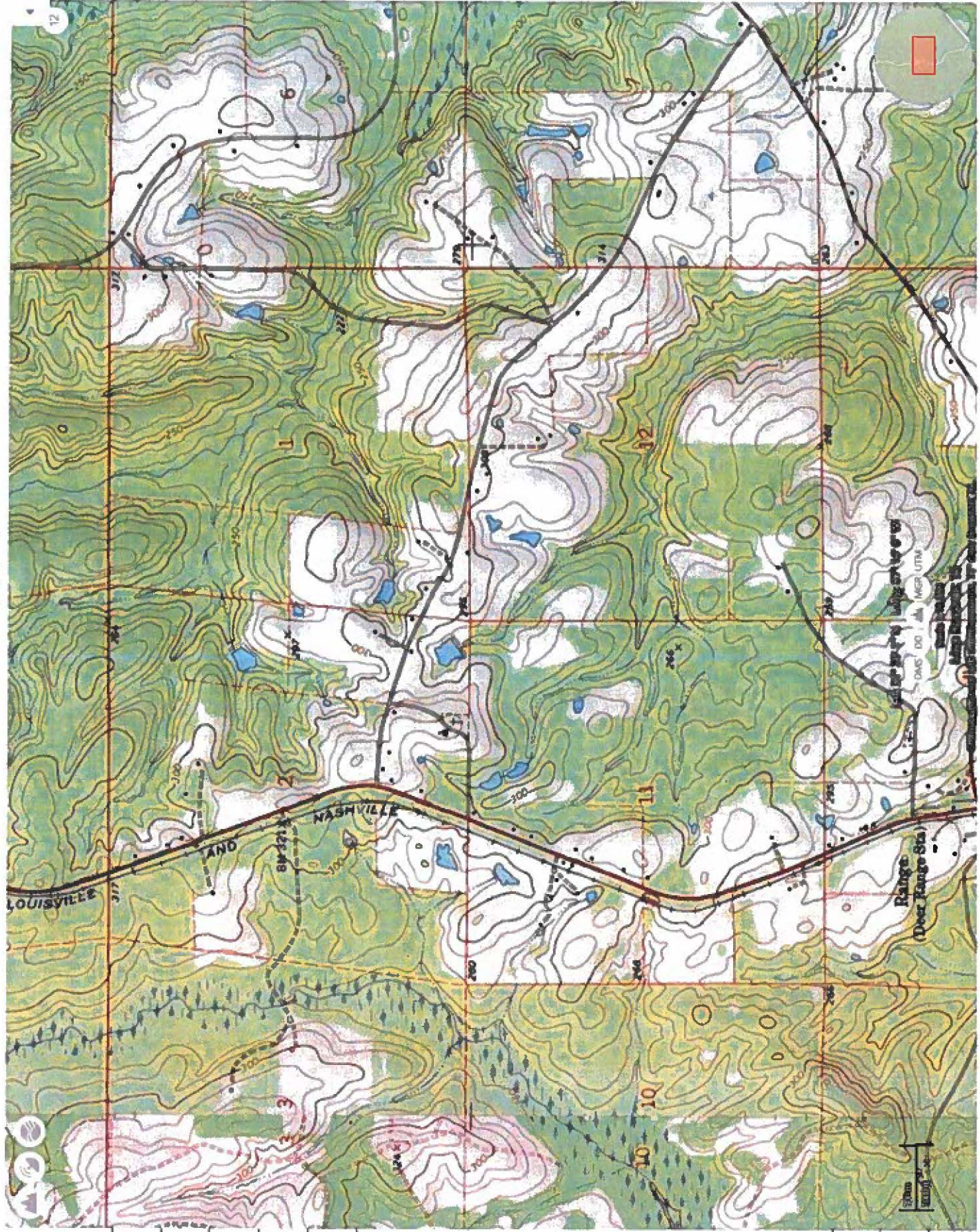












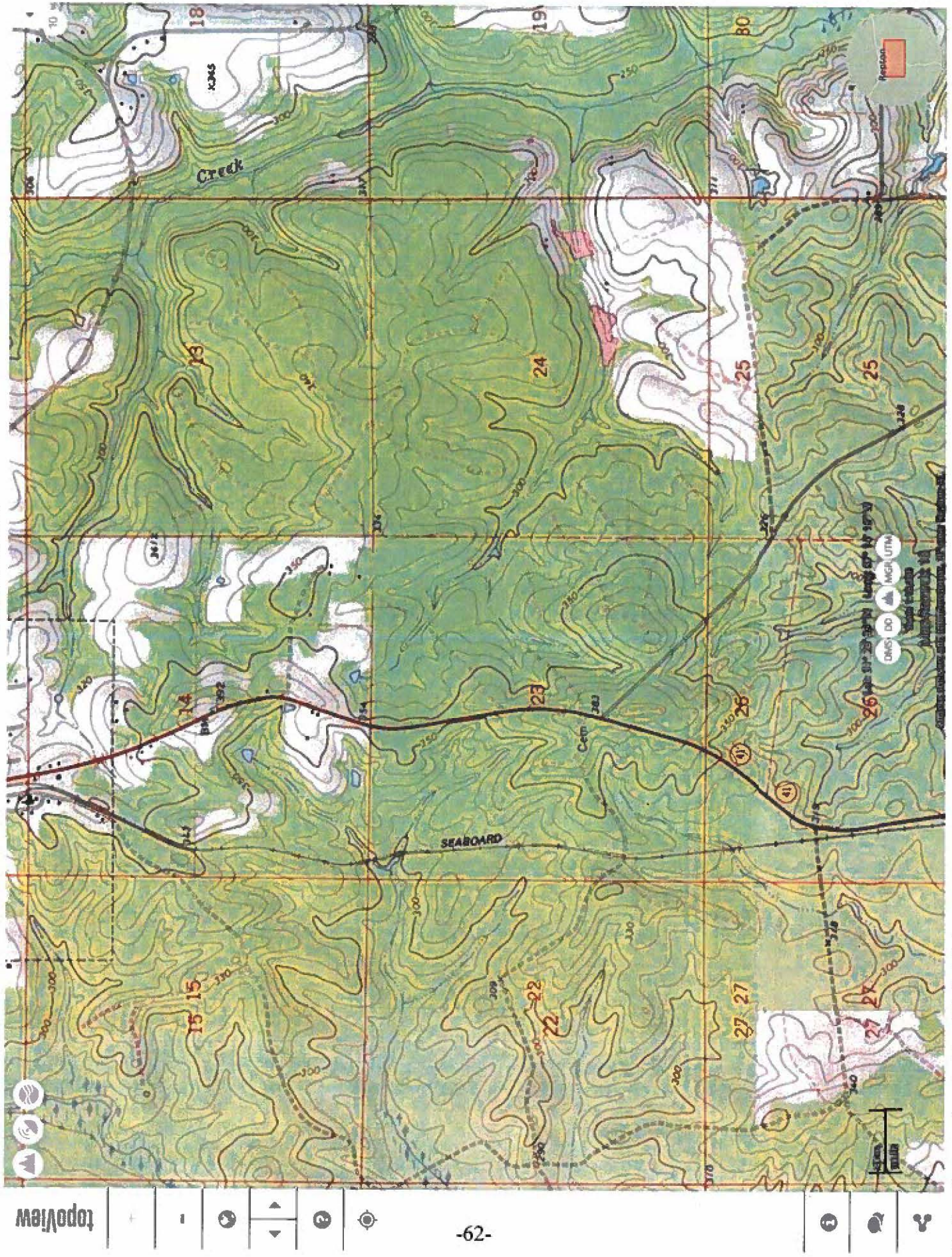
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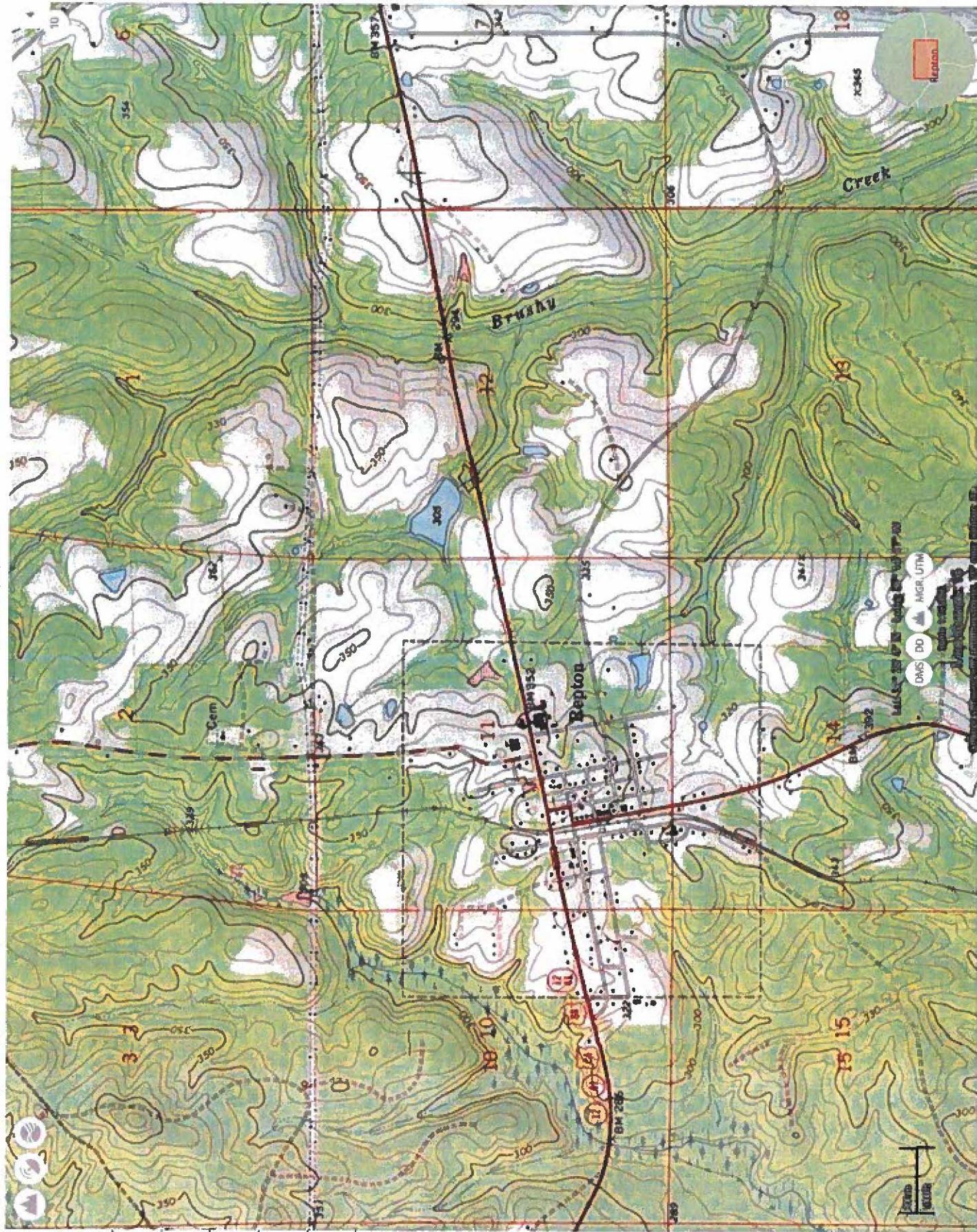
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-60-

Additional map controls including a legend, a scale bar, and a north arrow.

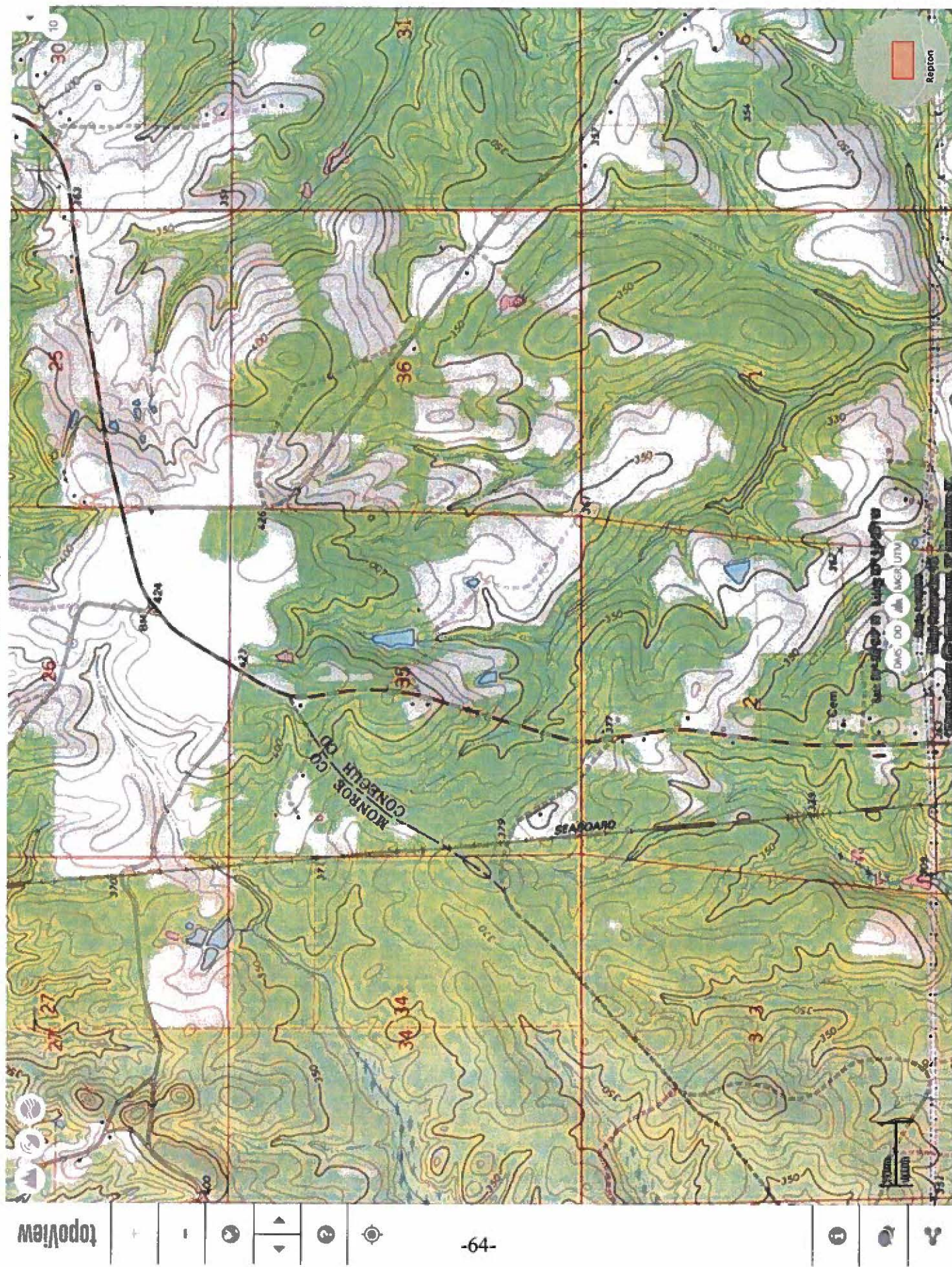




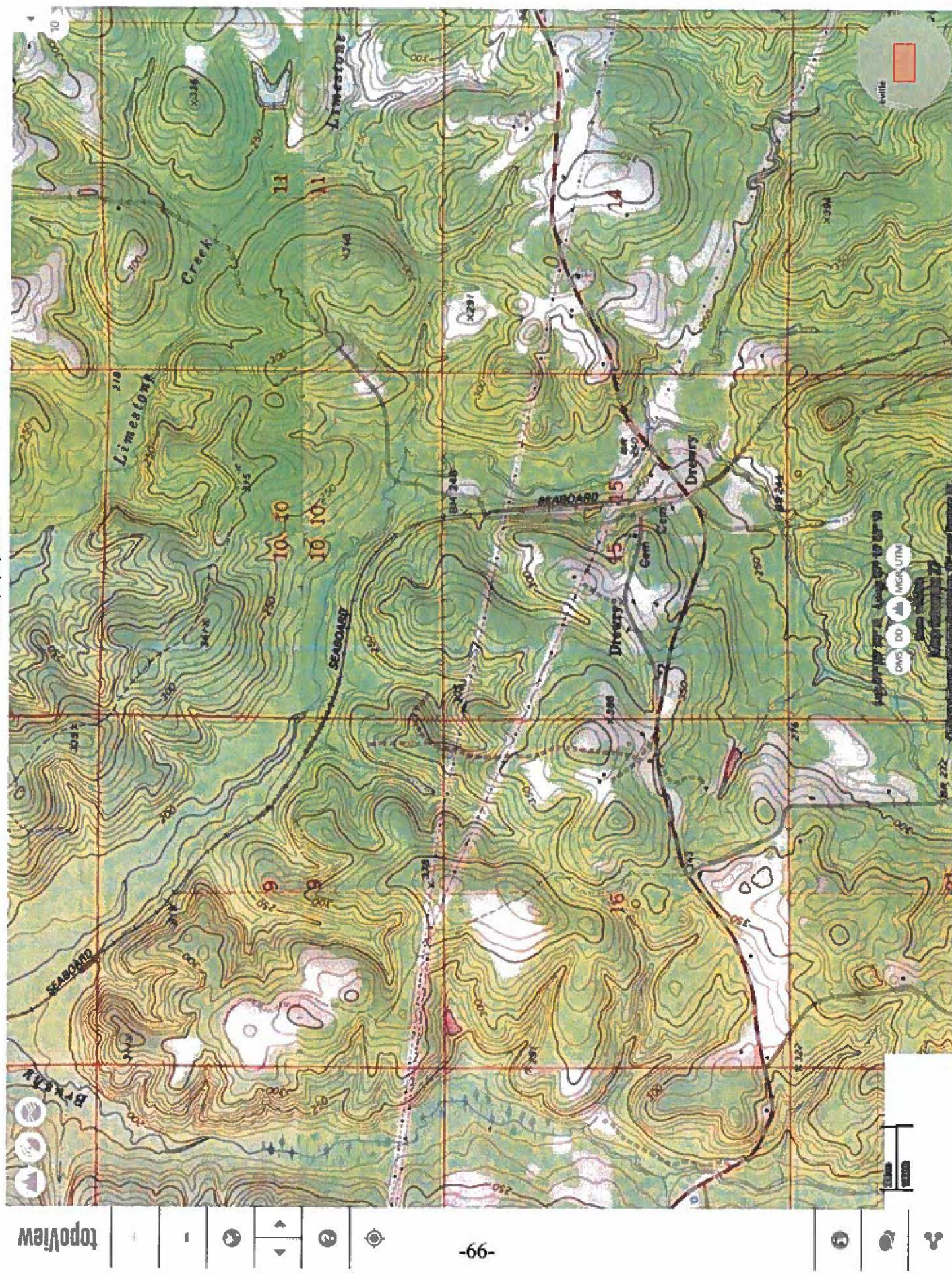


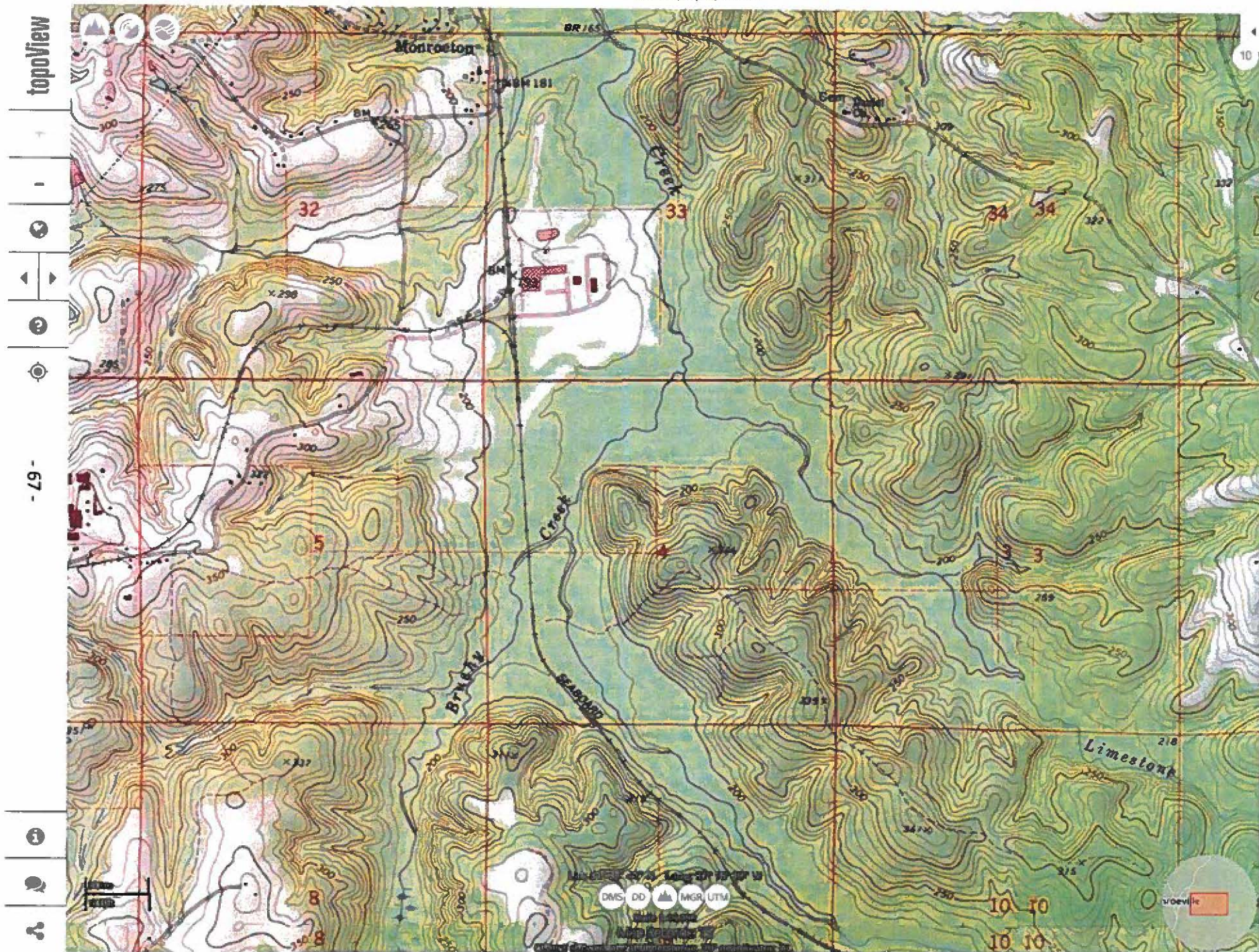
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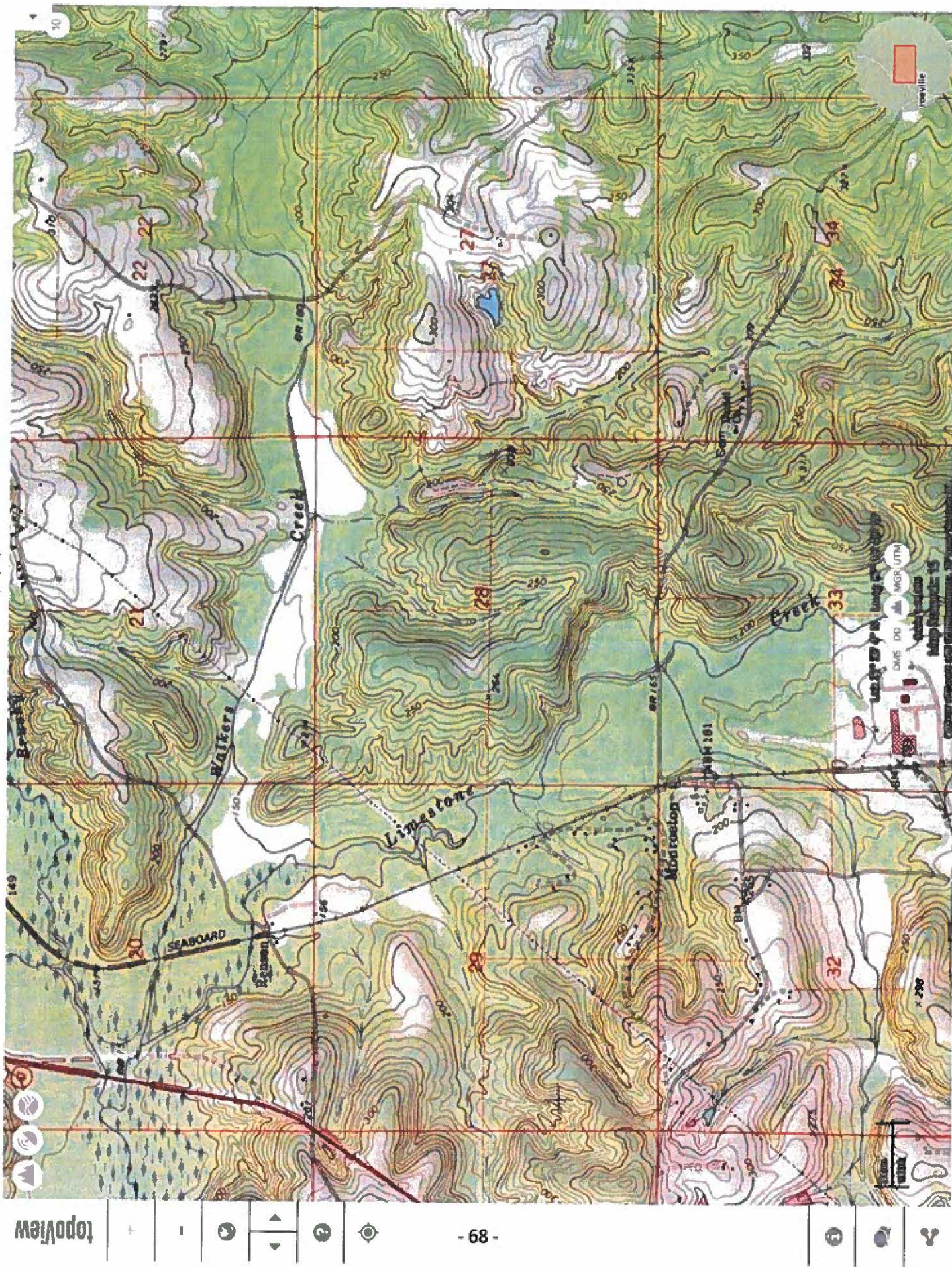
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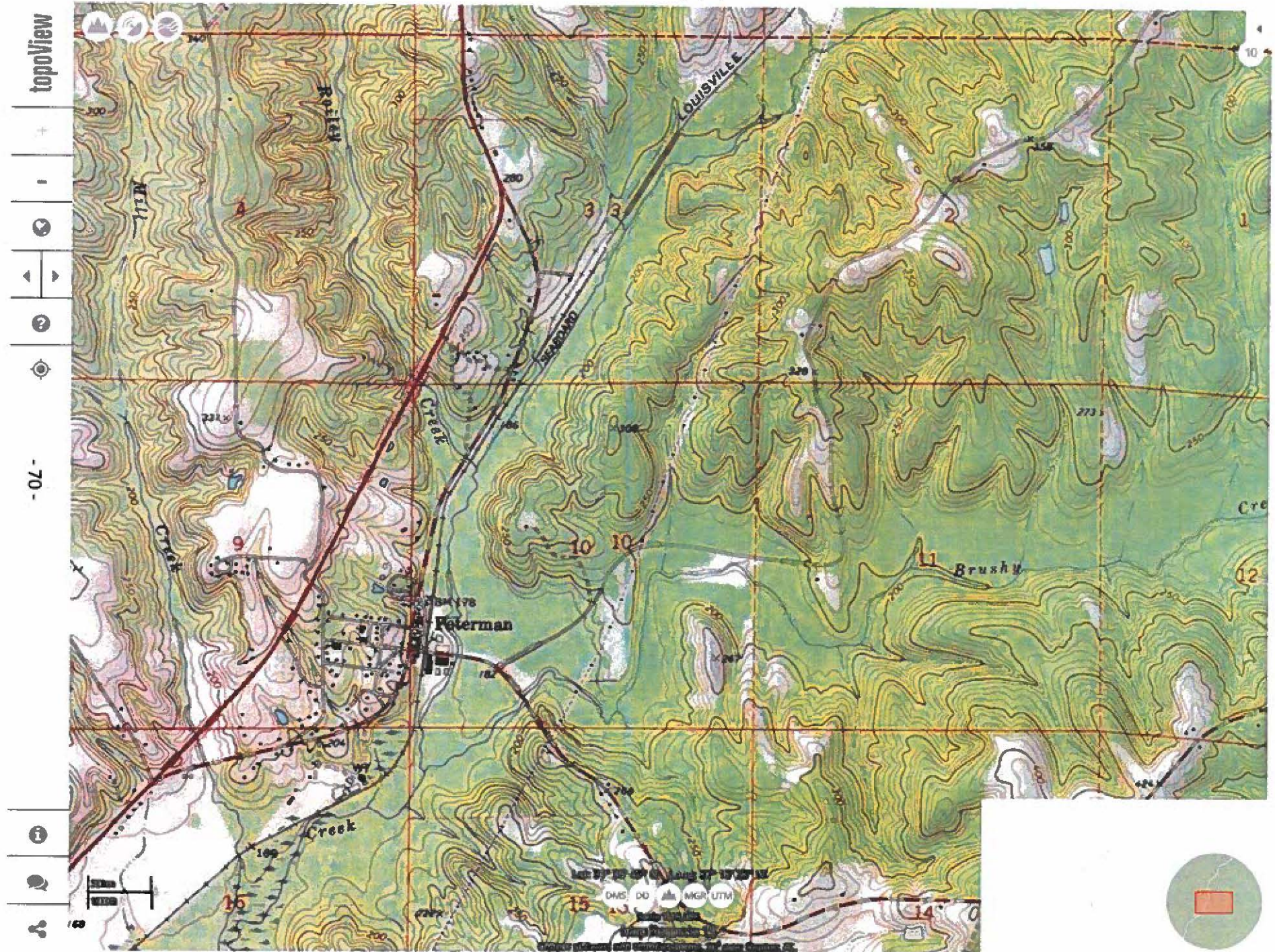




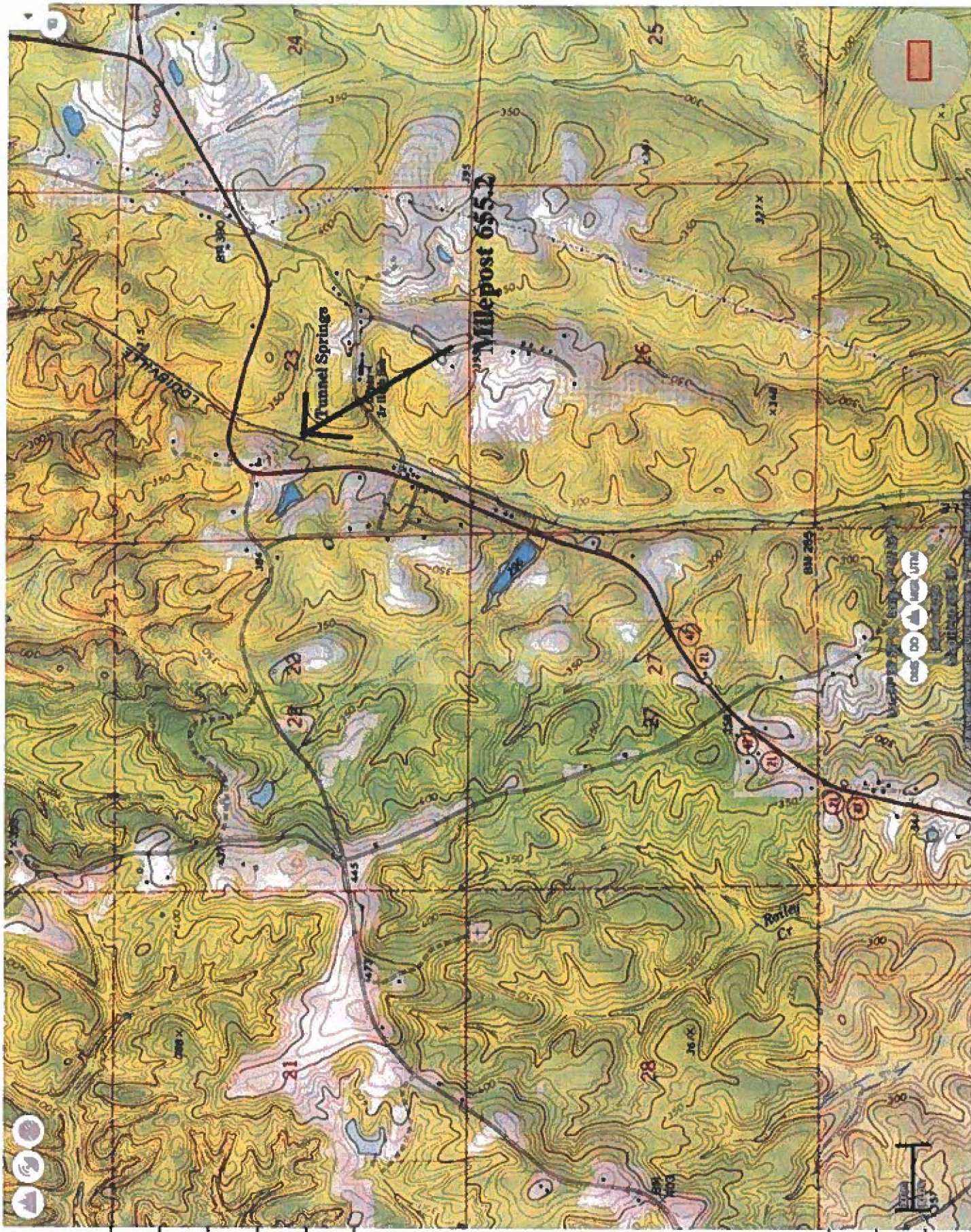












**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
- ABANDONMENT EXEMPTION -
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

**APPENDIX E
COLOR PHOTOGRAPHS (STRUCTURES) AND
OTHER SUPPORTING MATERIAL
[SUPPLIED TO THE ALABAMA HISTORICAL COMMISSION]**



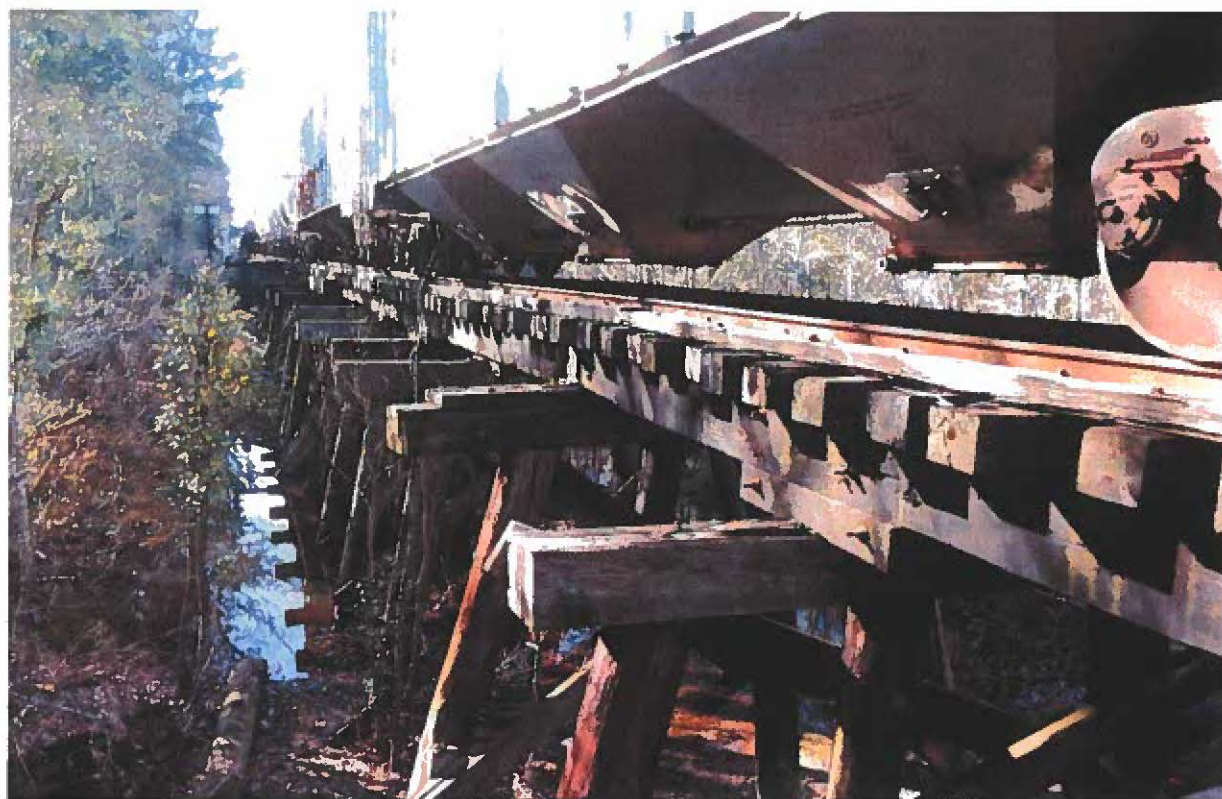
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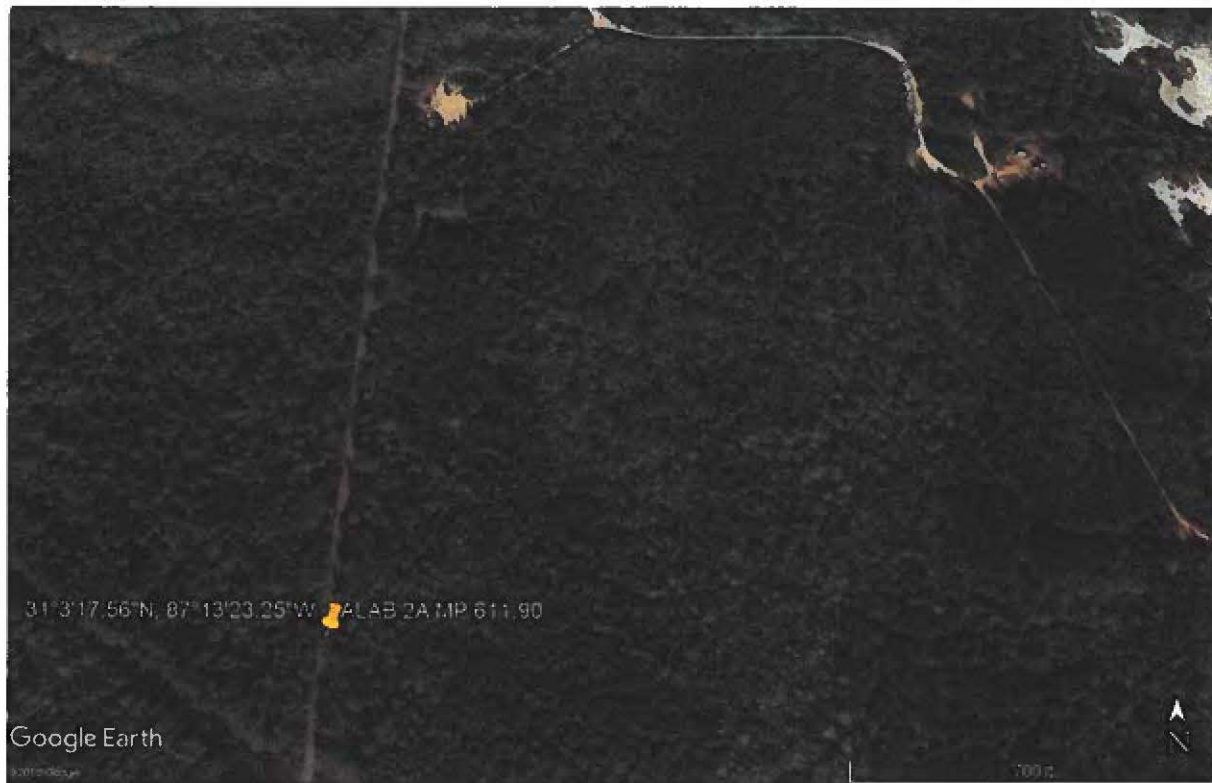
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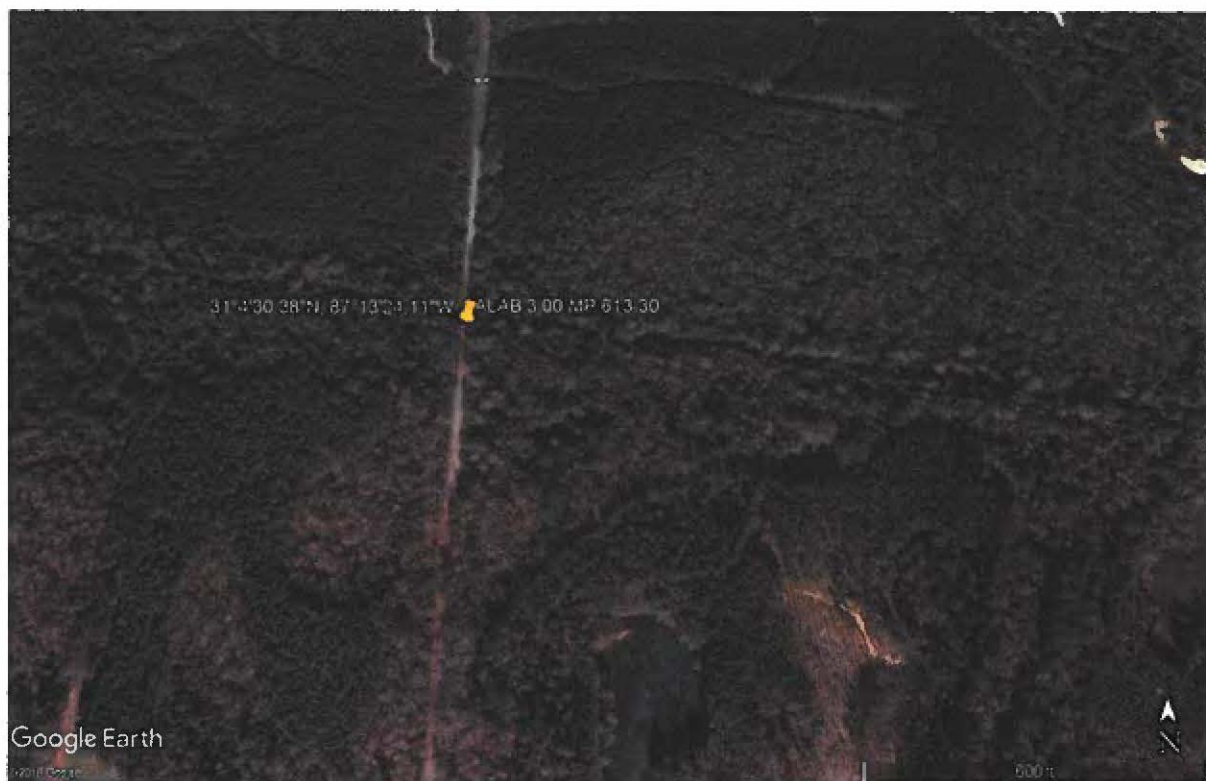
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Bridge 2A



Bridge 2A



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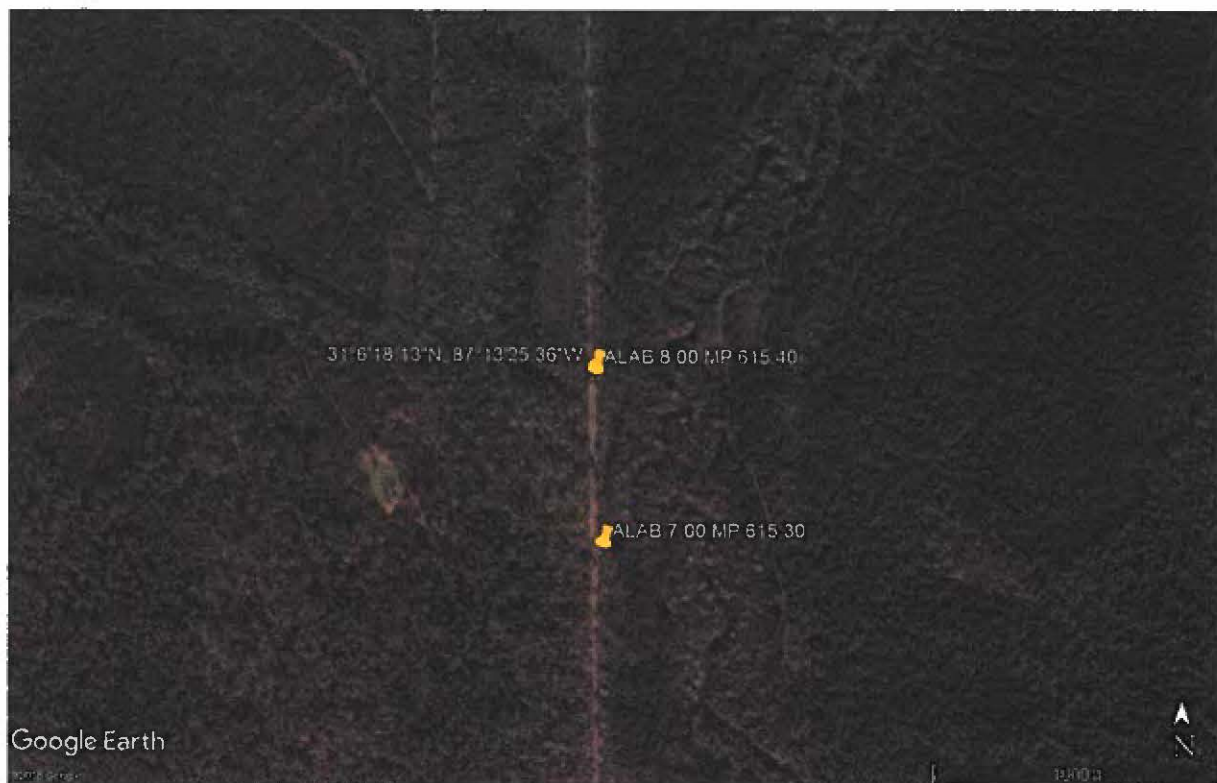
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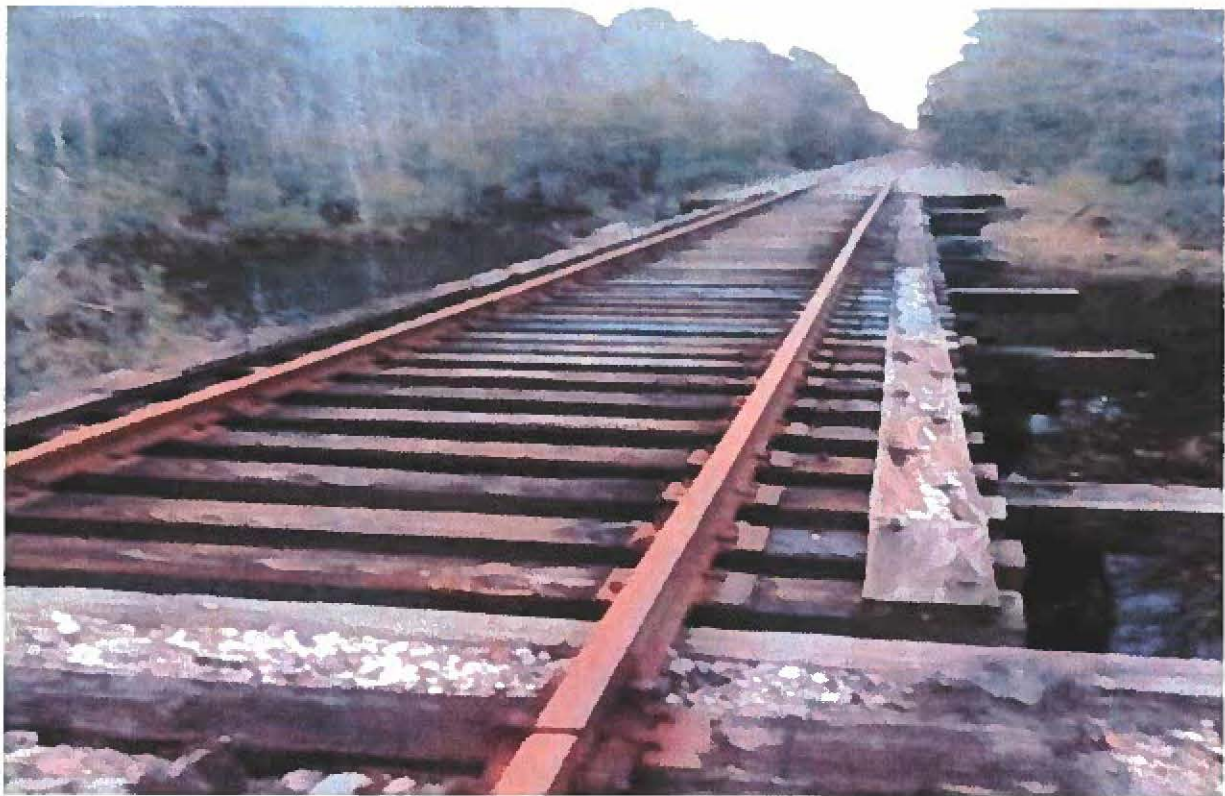
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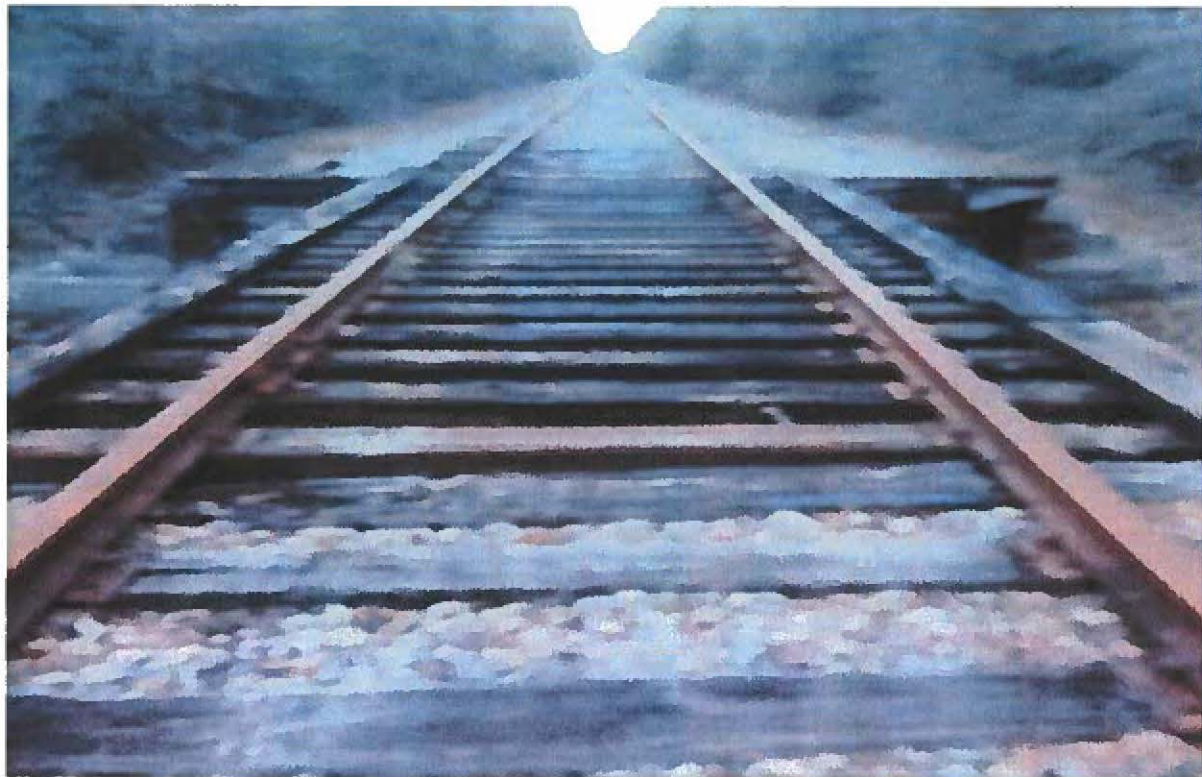
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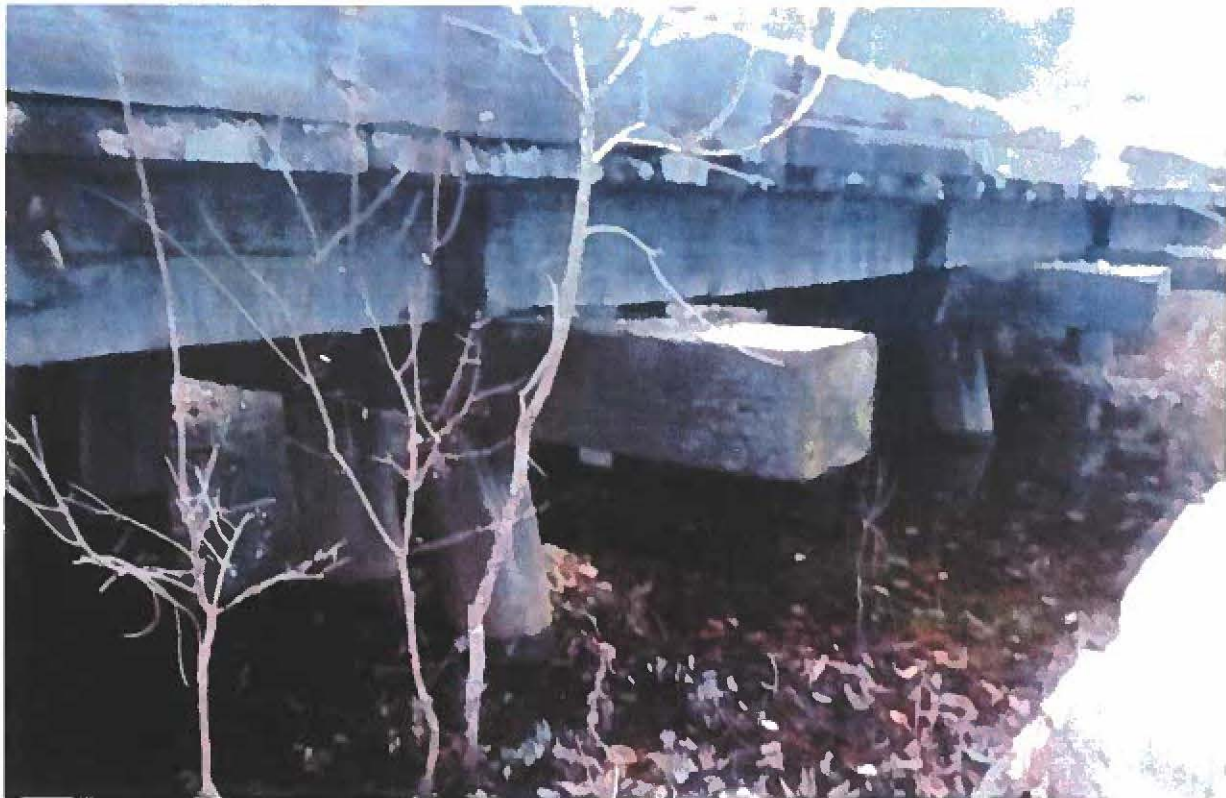
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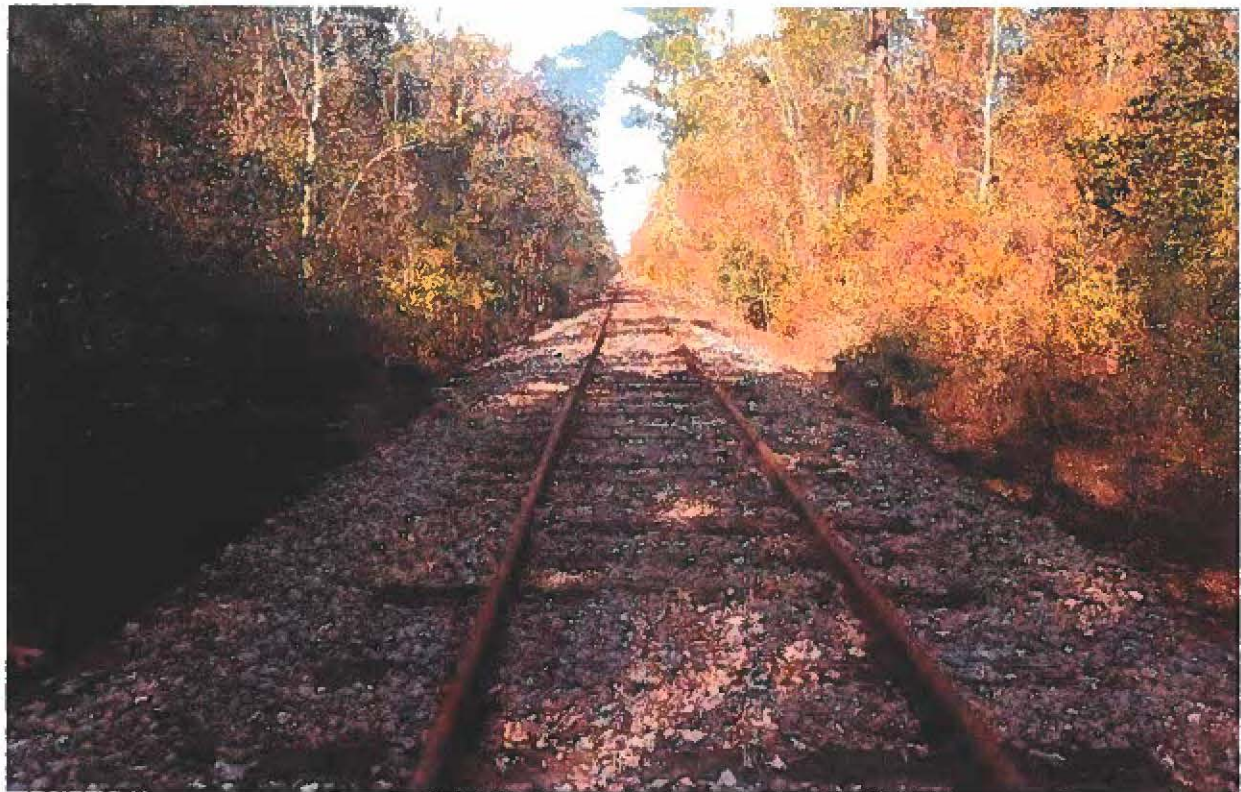
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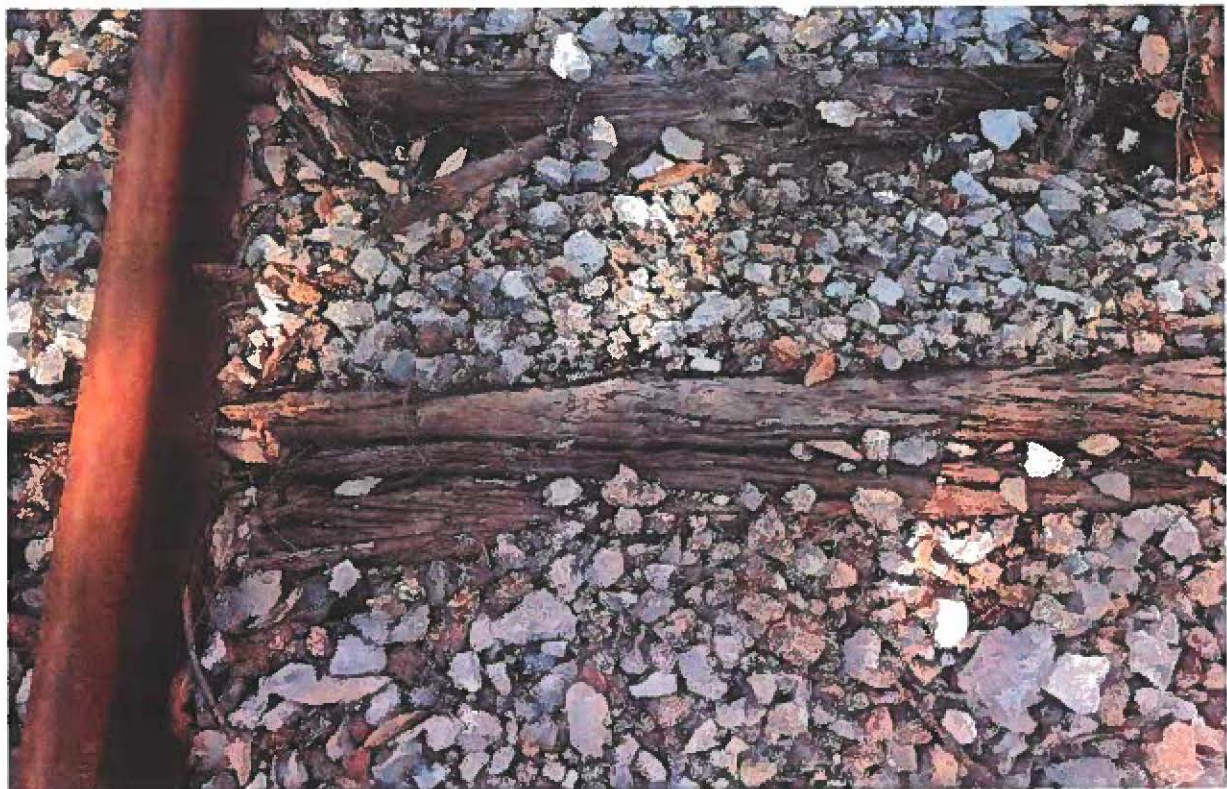
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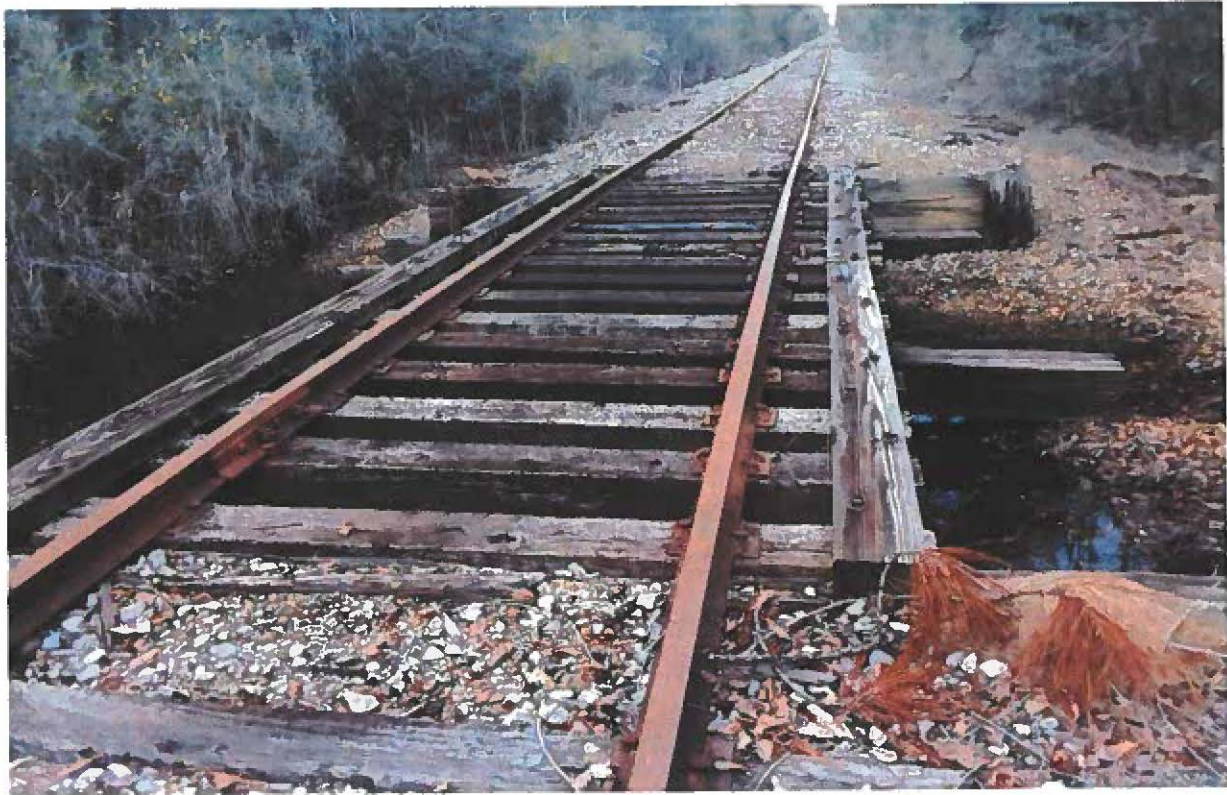
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Bridge 13A



Bridge 13A



Bridge 13A



Bridge 13B



Bridge 13B



Bridge 13B



Bridge No. 14.00



Bridge No. 14.00



Bridge No. 14.00



Bridge No. 15.00



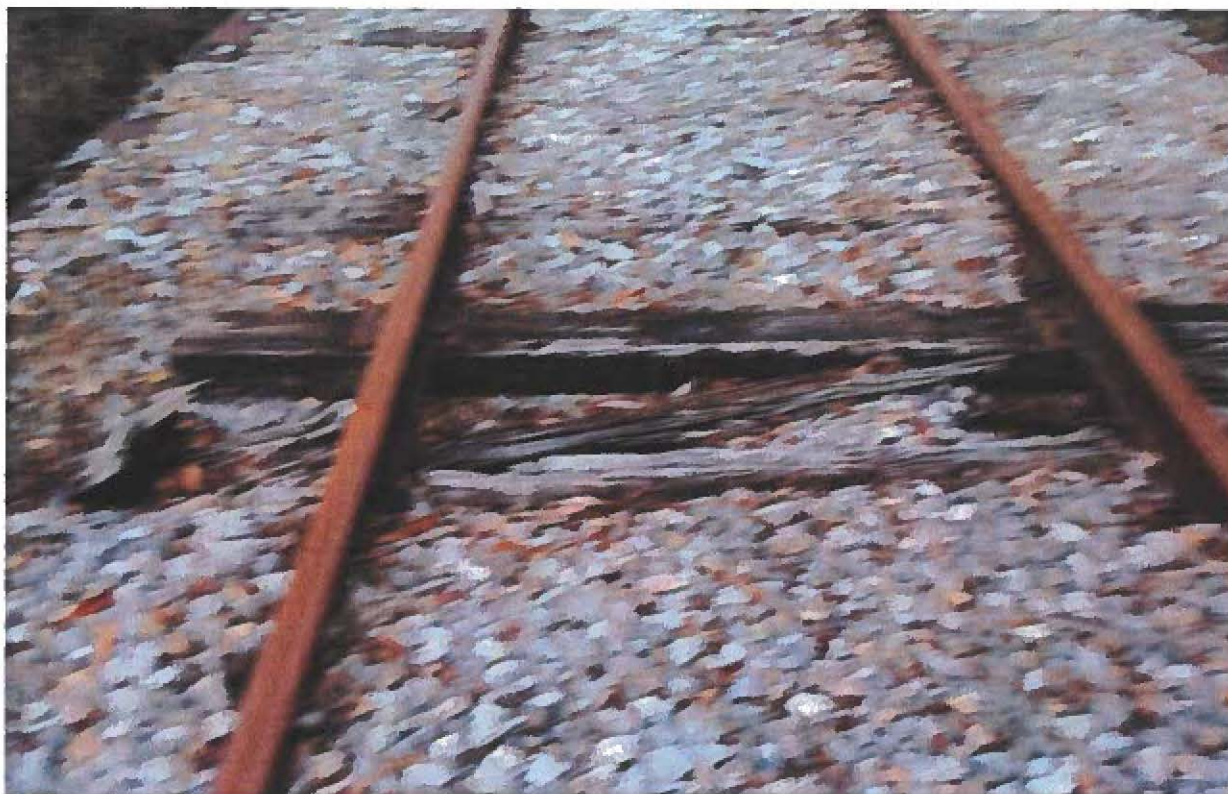
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Bridge No. 17.00



Bridge No. 18.00



Bridge No. 18.00



Bridge No. 18.00



Bridge No. 19.00



Bridge No. 19.00



Bridge No. 19.00



Bridge No. 20.00



Bridge No. 20.00



Bridge No. 20.00



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Bridge No. 20.50



Bridge No. 20.50



Bridge No. 21.00



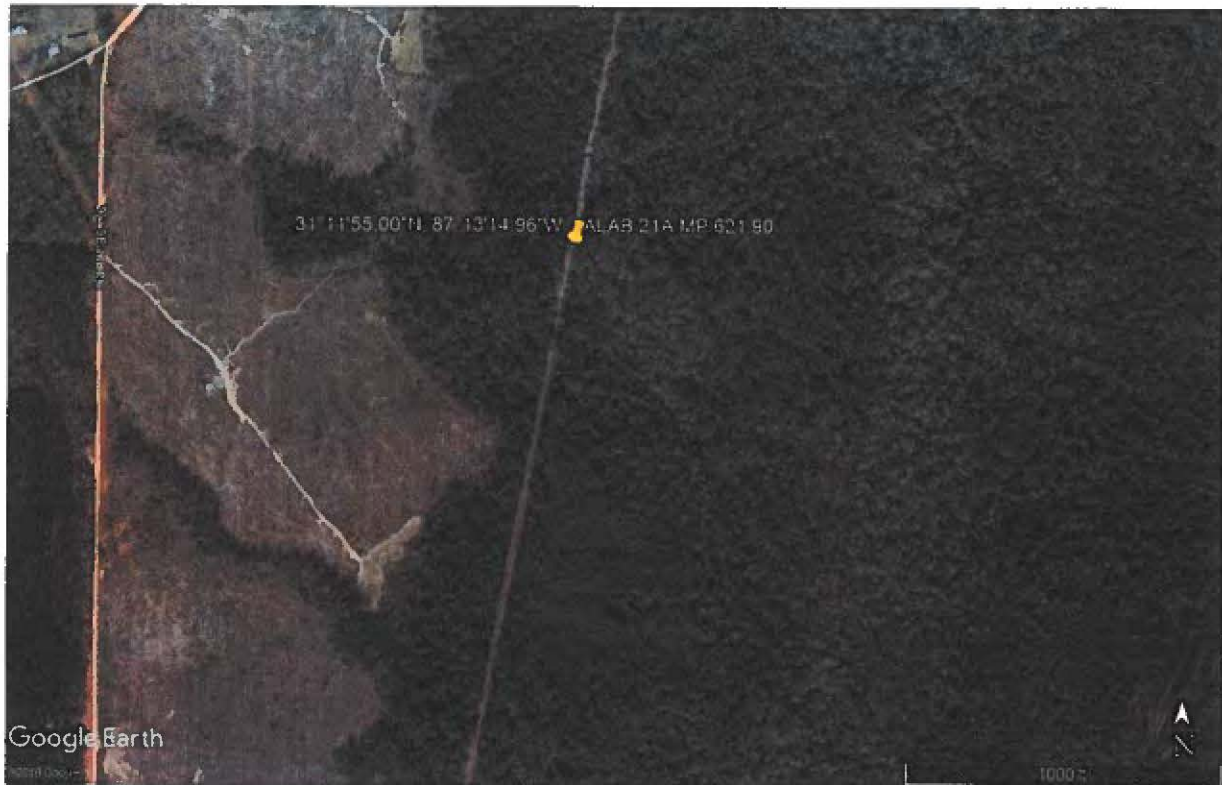
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Bridge 21A



Bridge 21A



Bridge 21A



Bridge 21A



Bridge 21B



Bridge 21B



Bridge 21B



Bridge No. 22.00



Bridge No. 22.00



Bridge No. 22.00



Bridge No. 22.00



Bridge No. 22.00



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Bridge No. 23.00



Bridge No. 23.00



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Bridge No. 23.00



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Bridge No. 23.25



Bridge No. 23.25



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Bridge No. 23.25



Bridge 23A



Bridge 23A



Bridge 23A



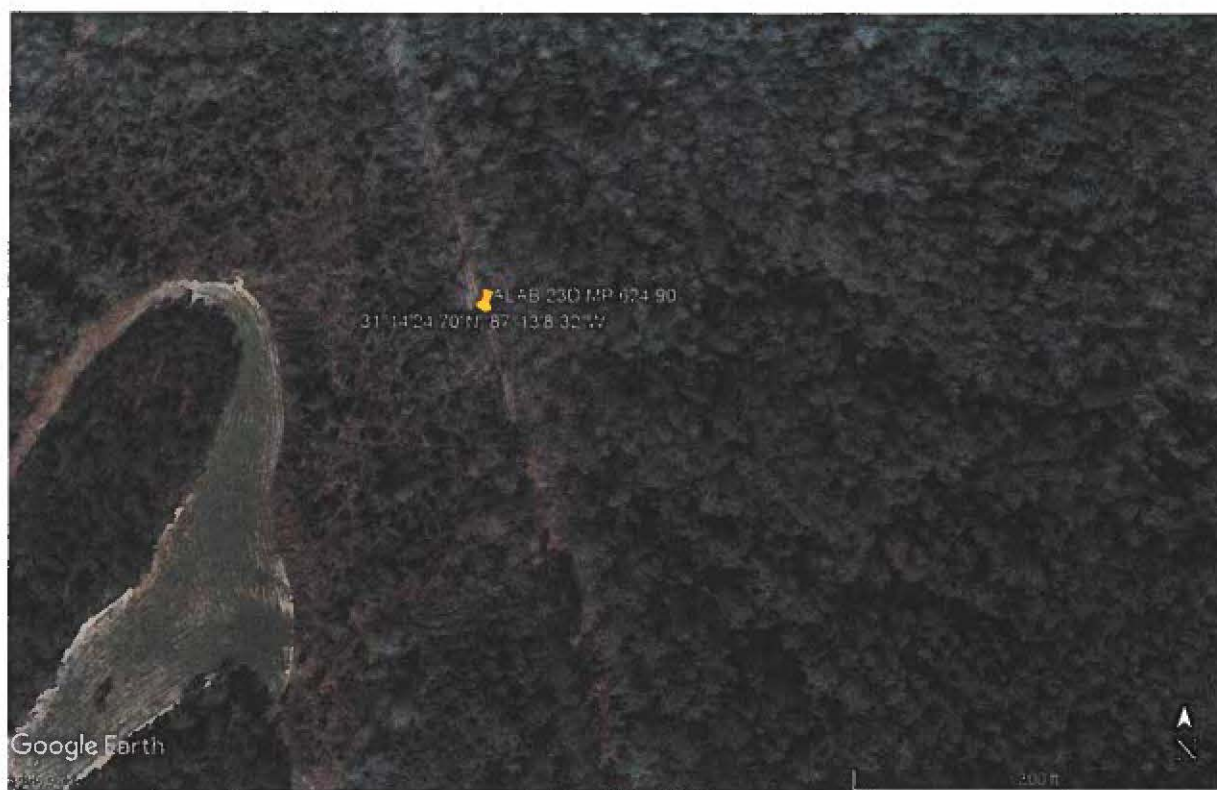
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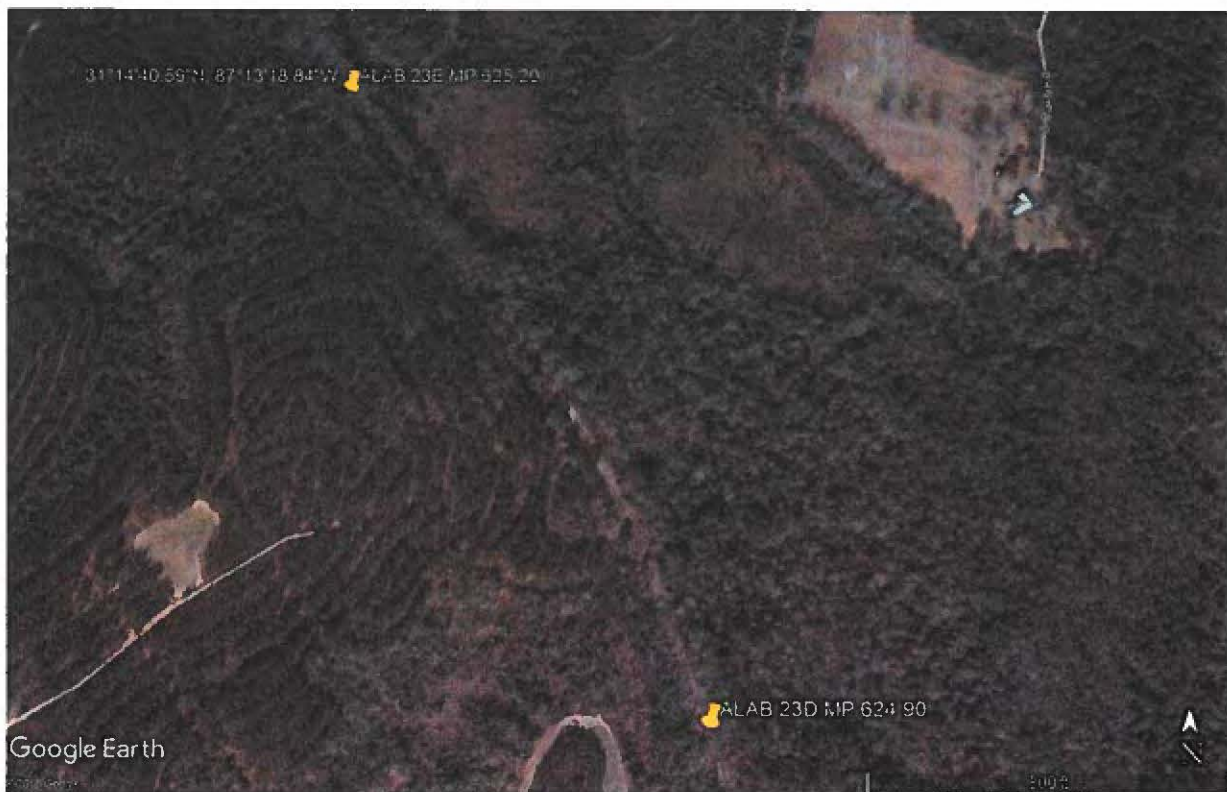
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Bridge 23D



Bridge 23D



Bridge 23E



Bridge 23E



Bridge 23E



Bridge 23E



Bridge 23E



Bridge 23F



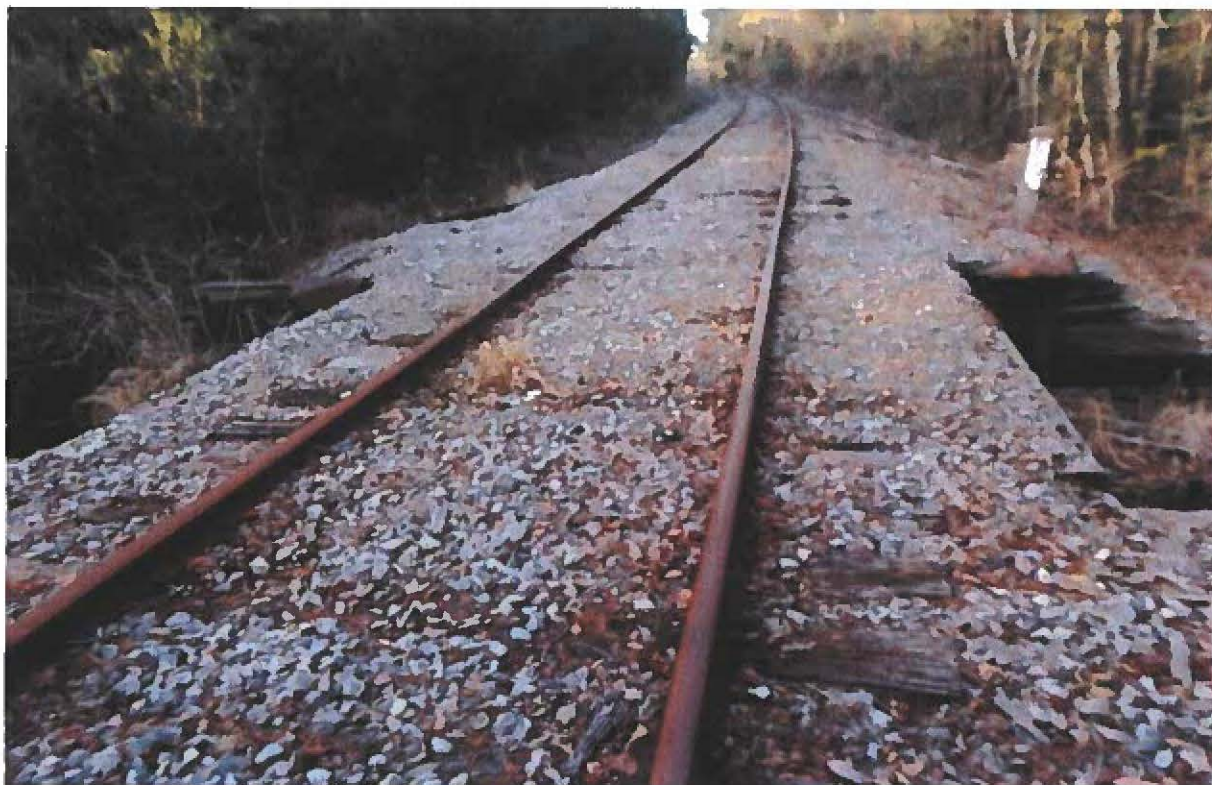
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Bridge 23F



Bridge 23G



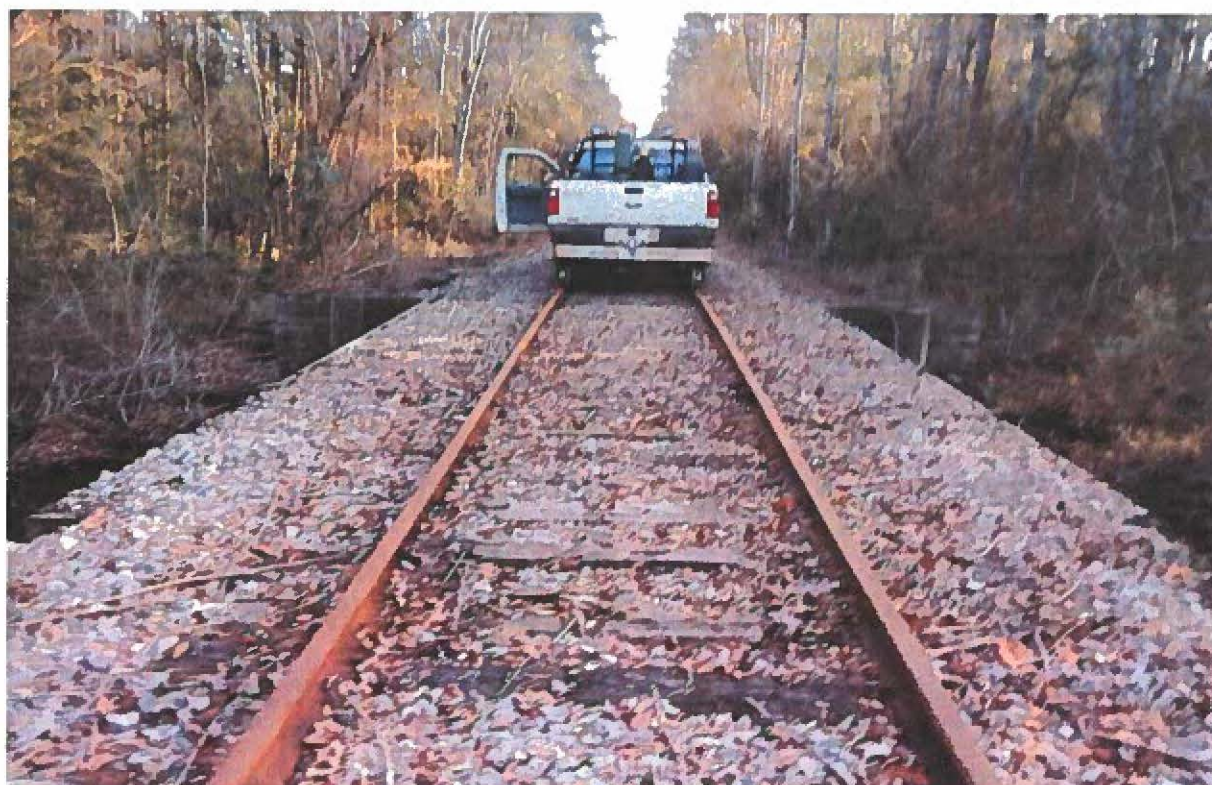
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Bridge 23G



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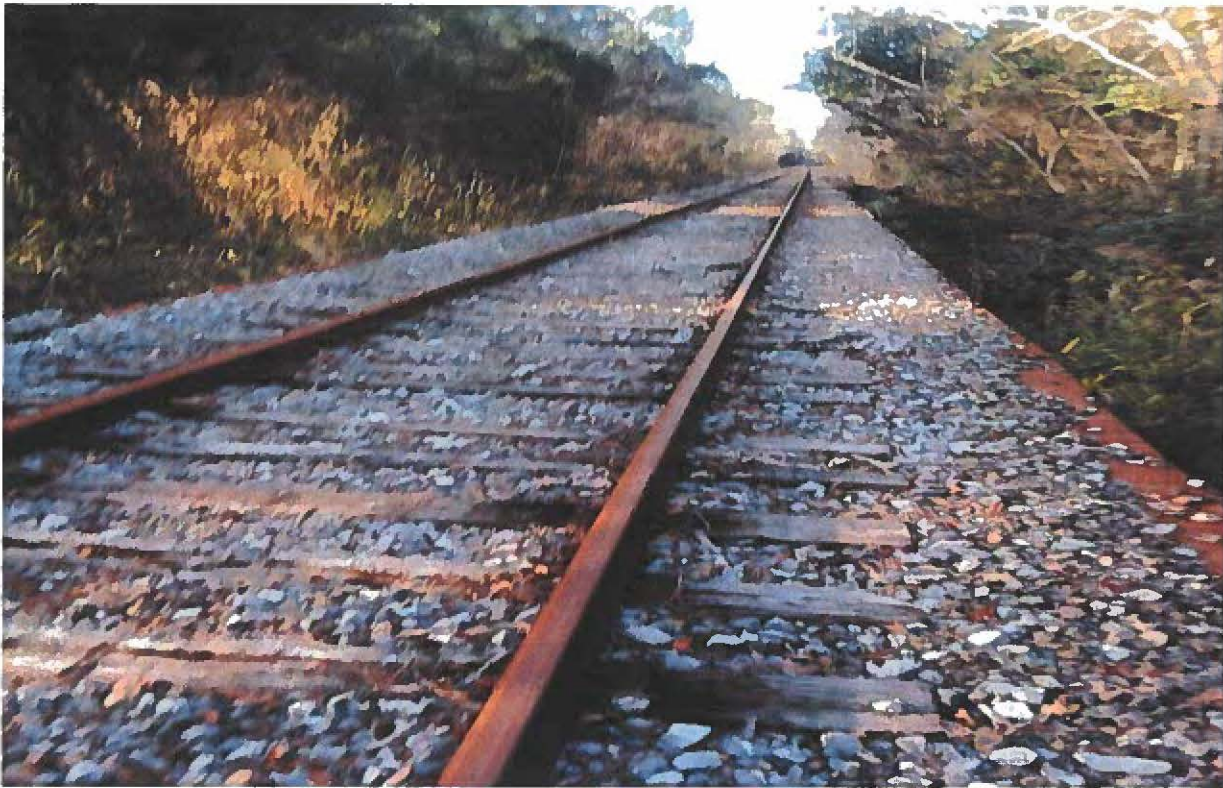
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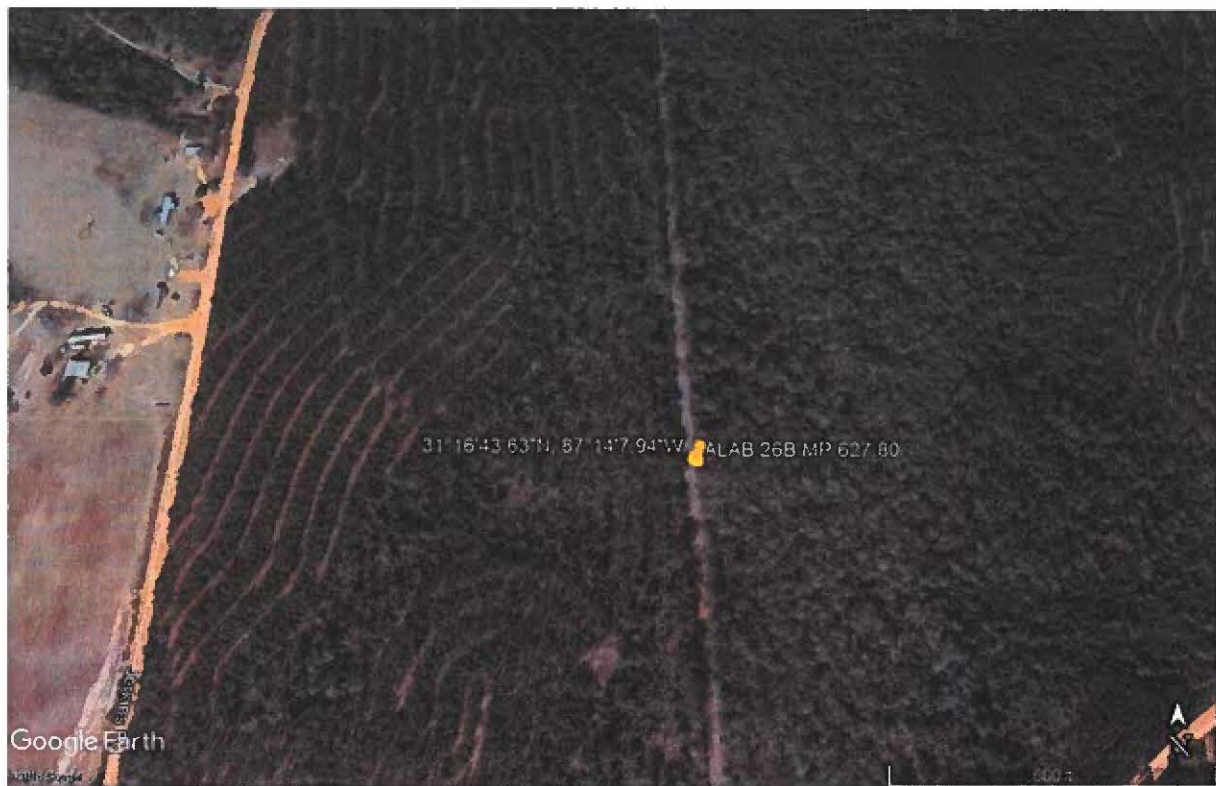
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Bridge No. 26.00



Bridge 26B



Bridge 26B



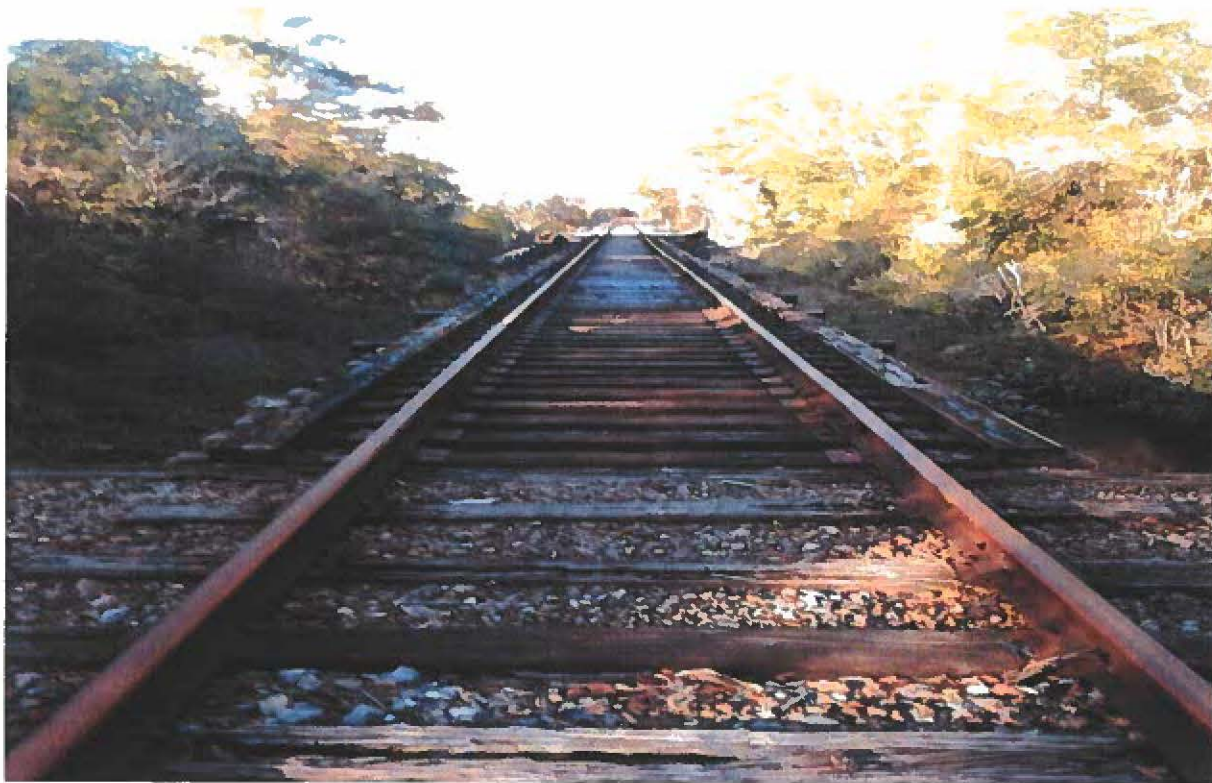
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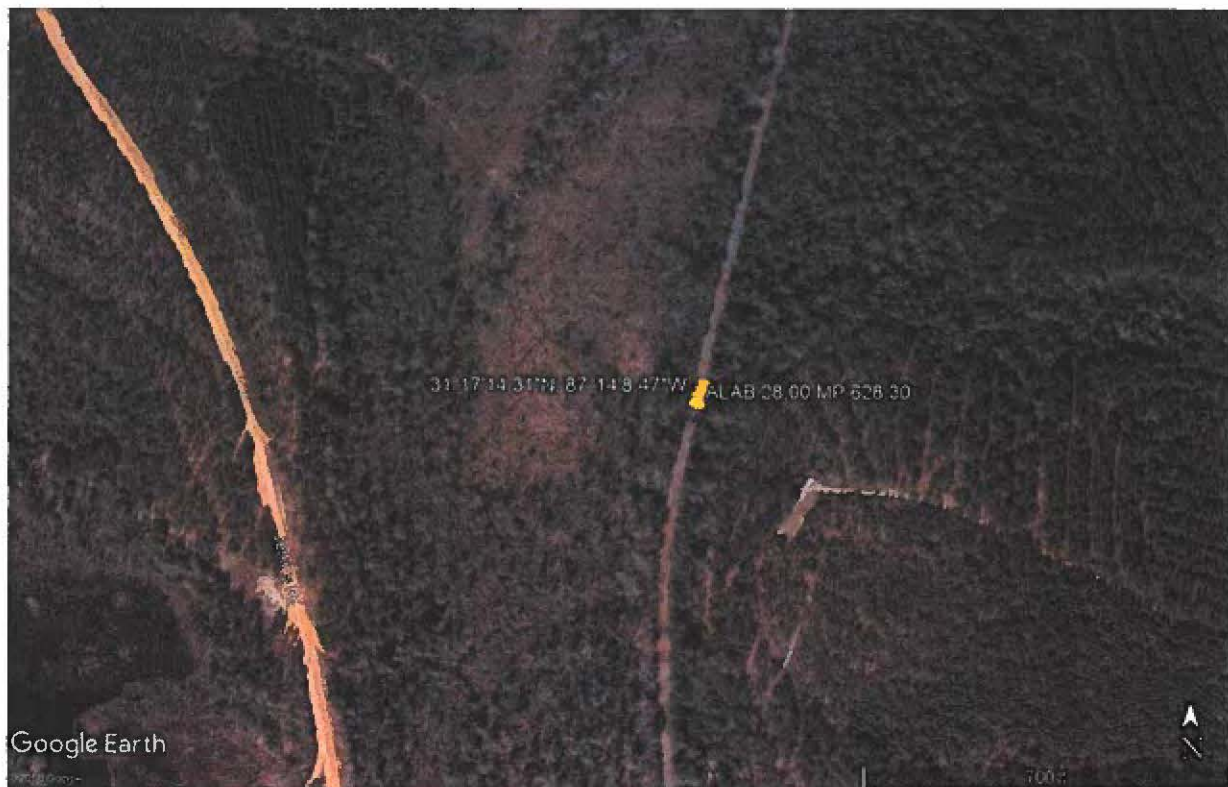
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Bridge No. 27.00



Bridge No. 28.00



Bridge No. 28.00



Bridge No. 28.00



Bridge 28A



Bridge 28A



Bridge 28A



Bridge 28A



Bridge 28A



Bridge No. 29.00



Bridge No. 29.00



Bridge No. 29.00



Bridge 29A



Bridge 29A



Bridge No. 31.00



Bridge No. 31.00



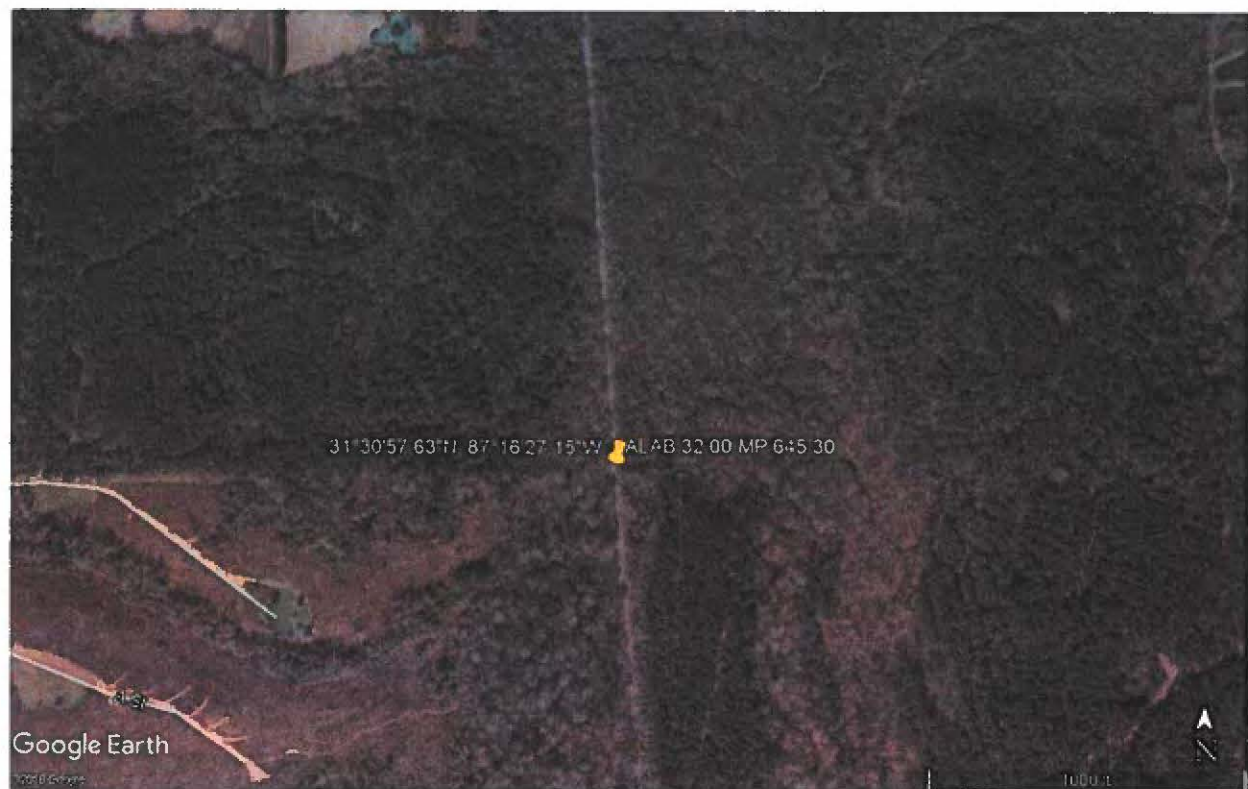
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Bridge No. 33.00



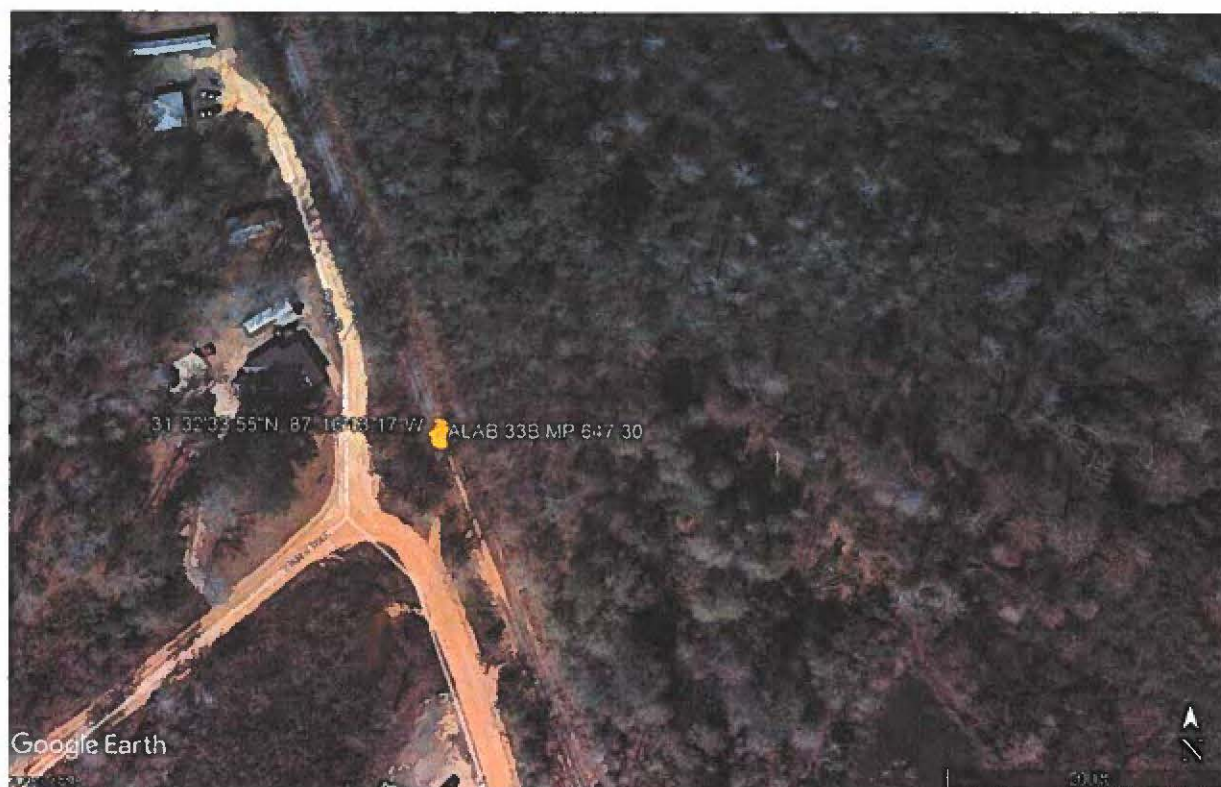
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Bridge 33A



Bridge 33A



Bridge 33B



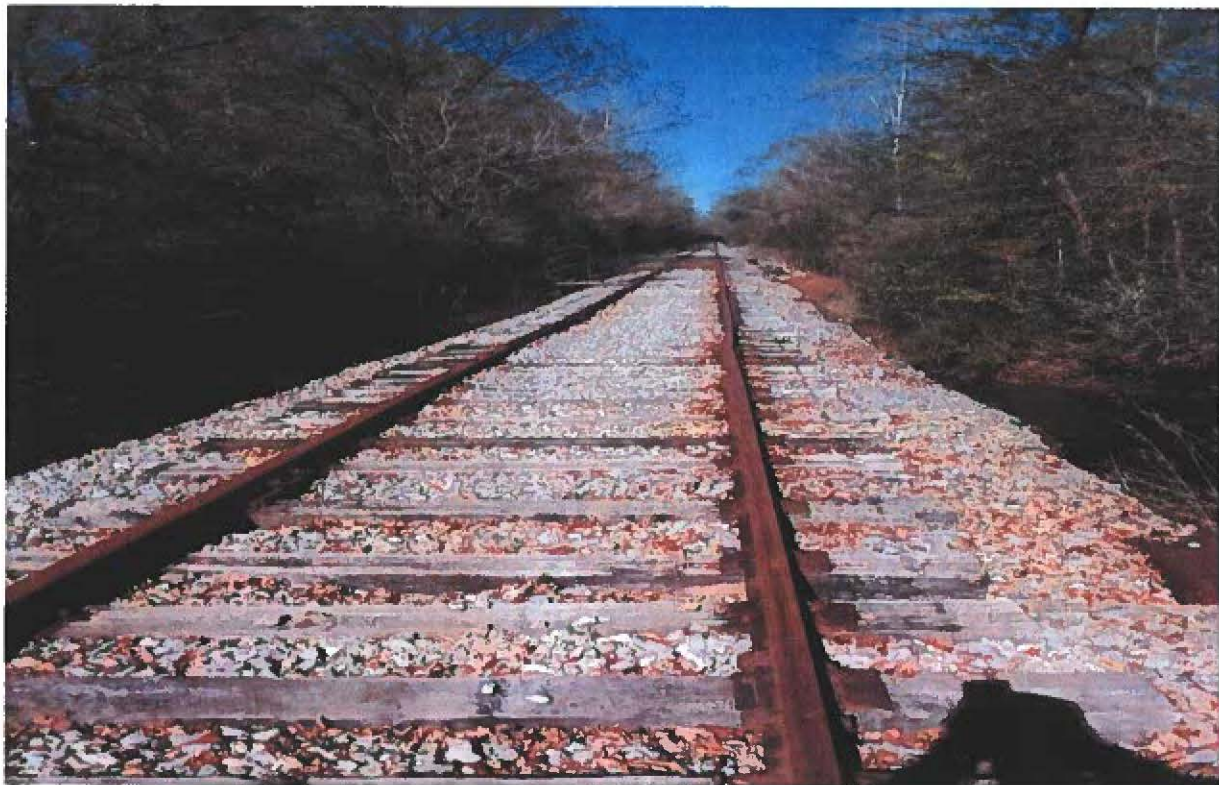
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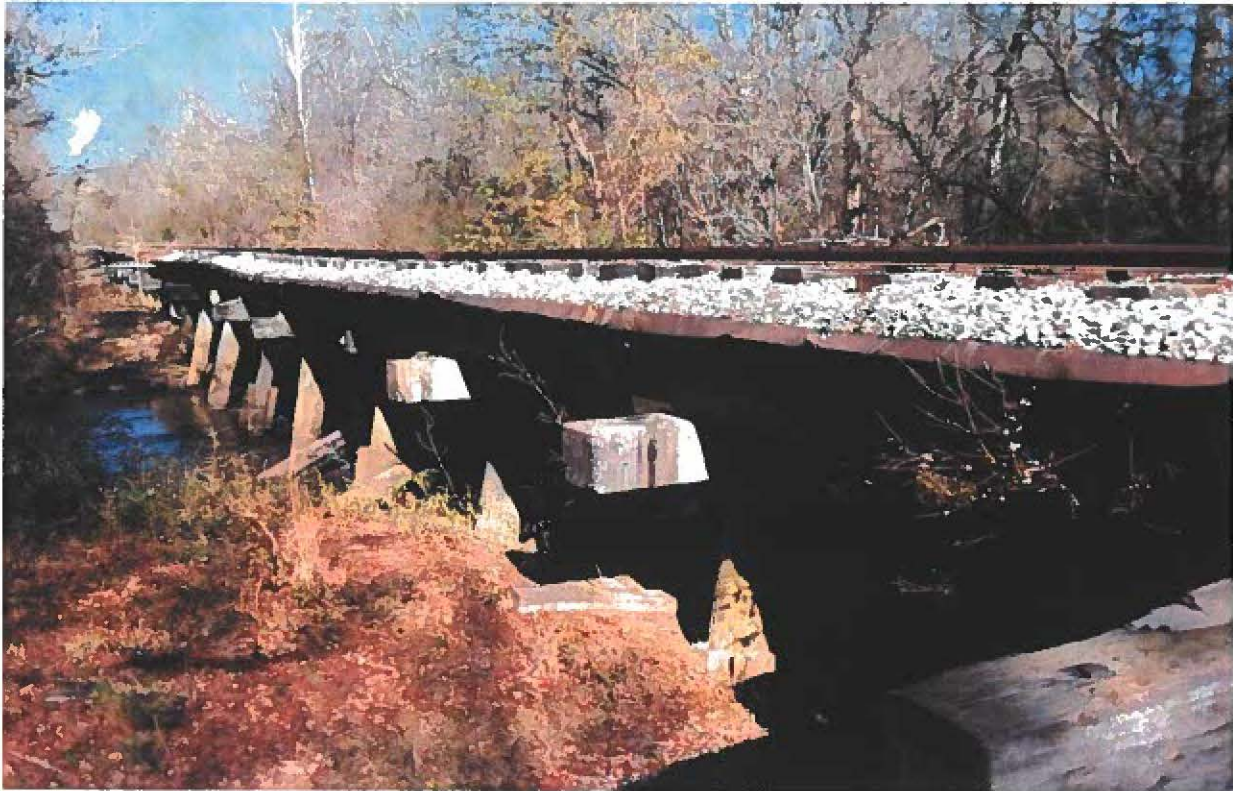
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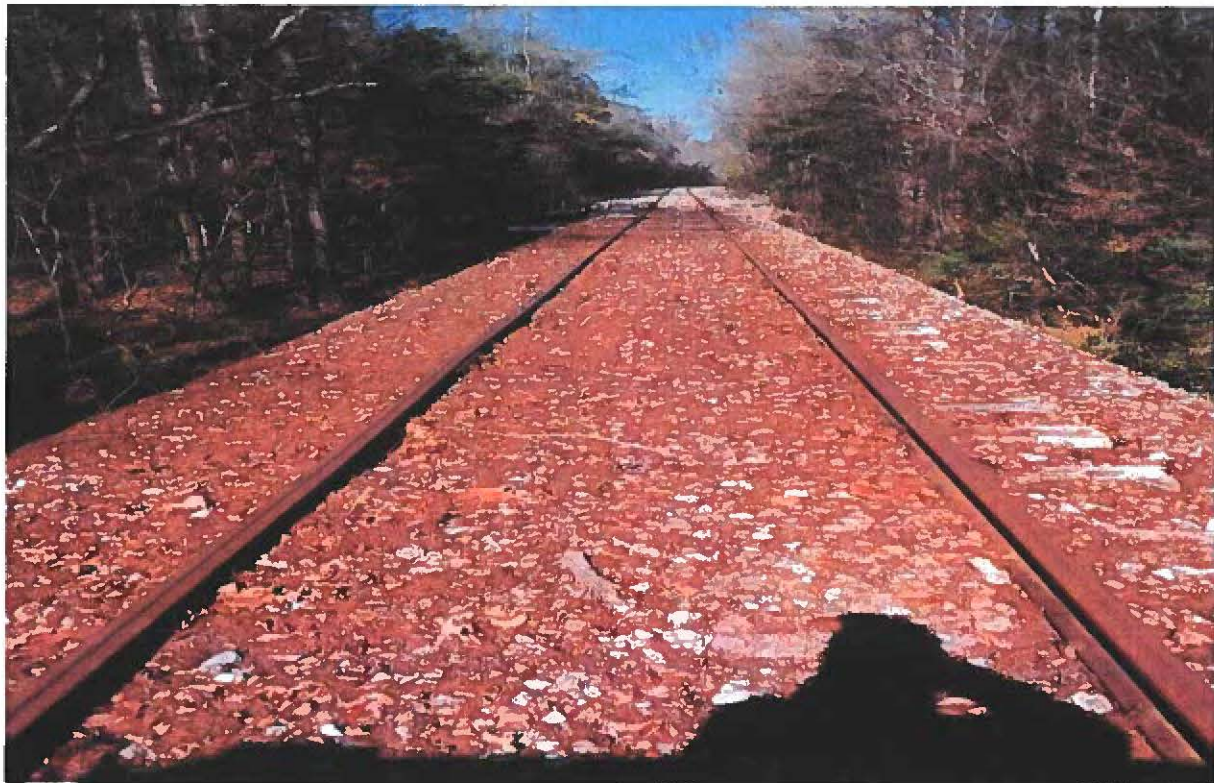
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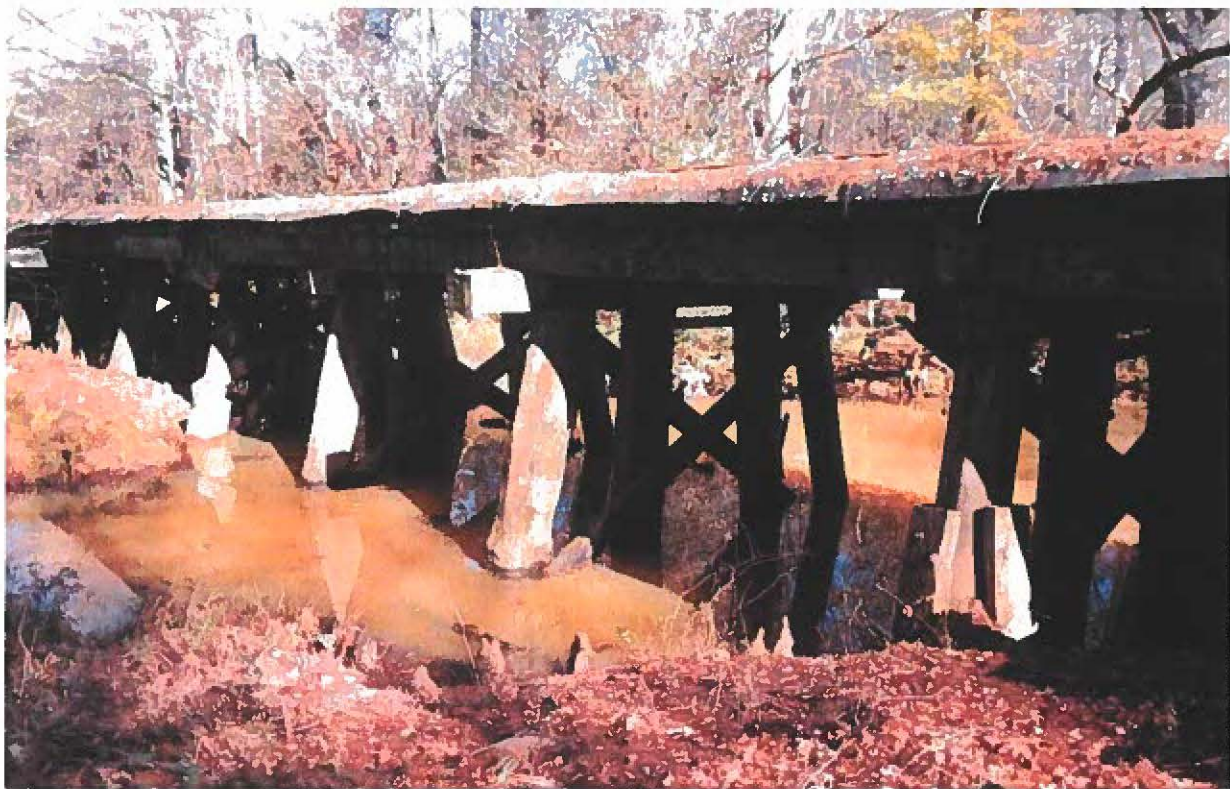
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Bridge No. 35.00



Bridge No. 35.00



Bridge No. 35.00



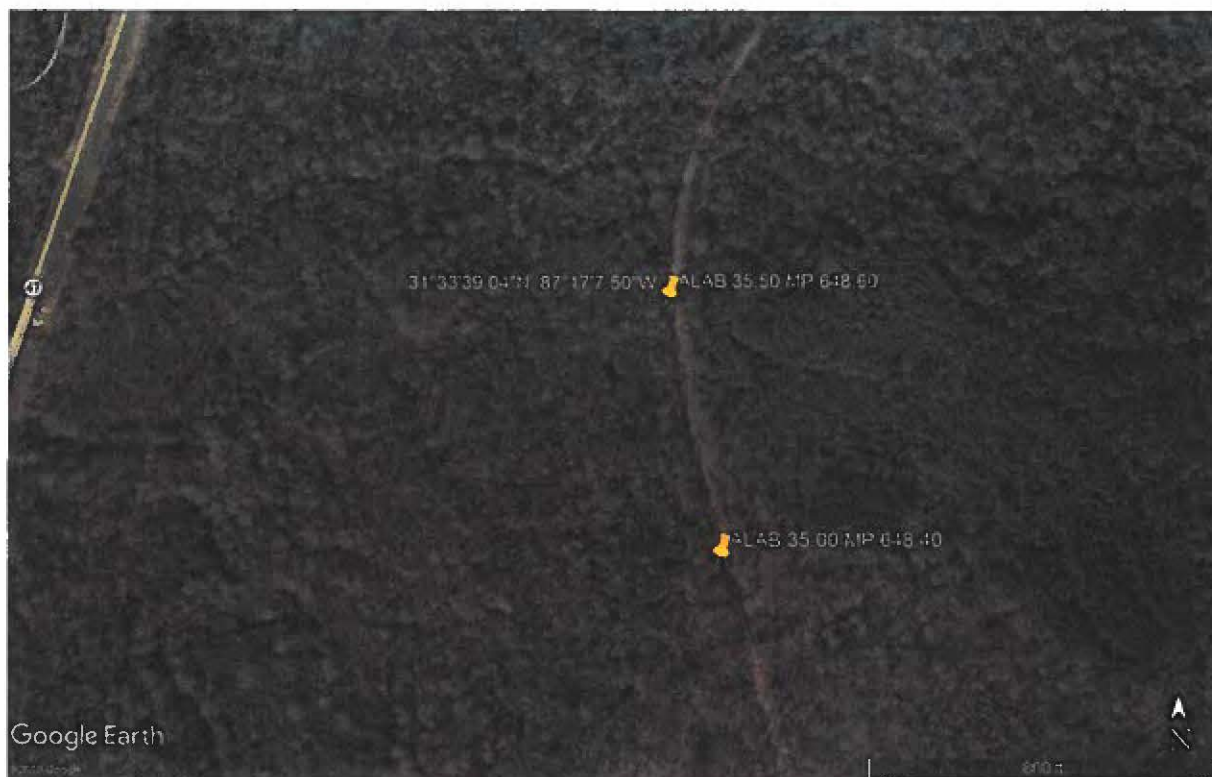
Bridge No. 35.00



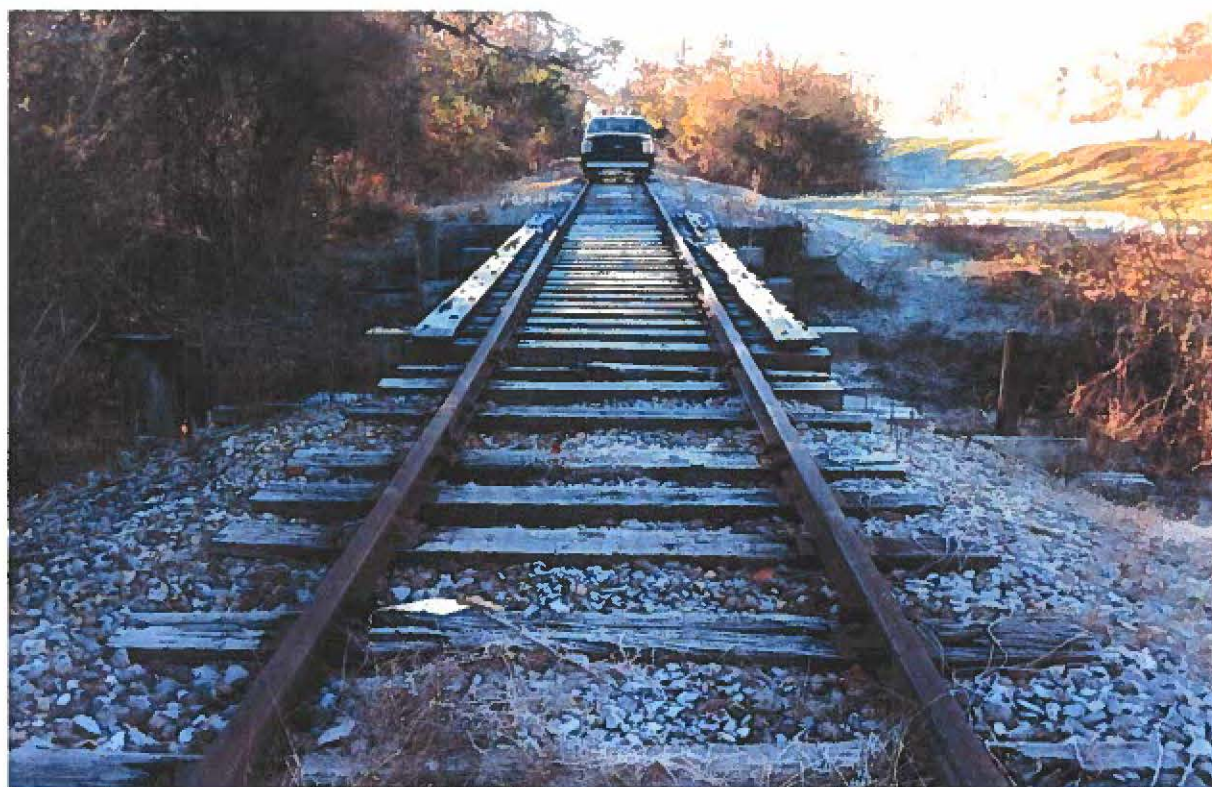
Bridge No. 35.00



Bridge No. 35.00



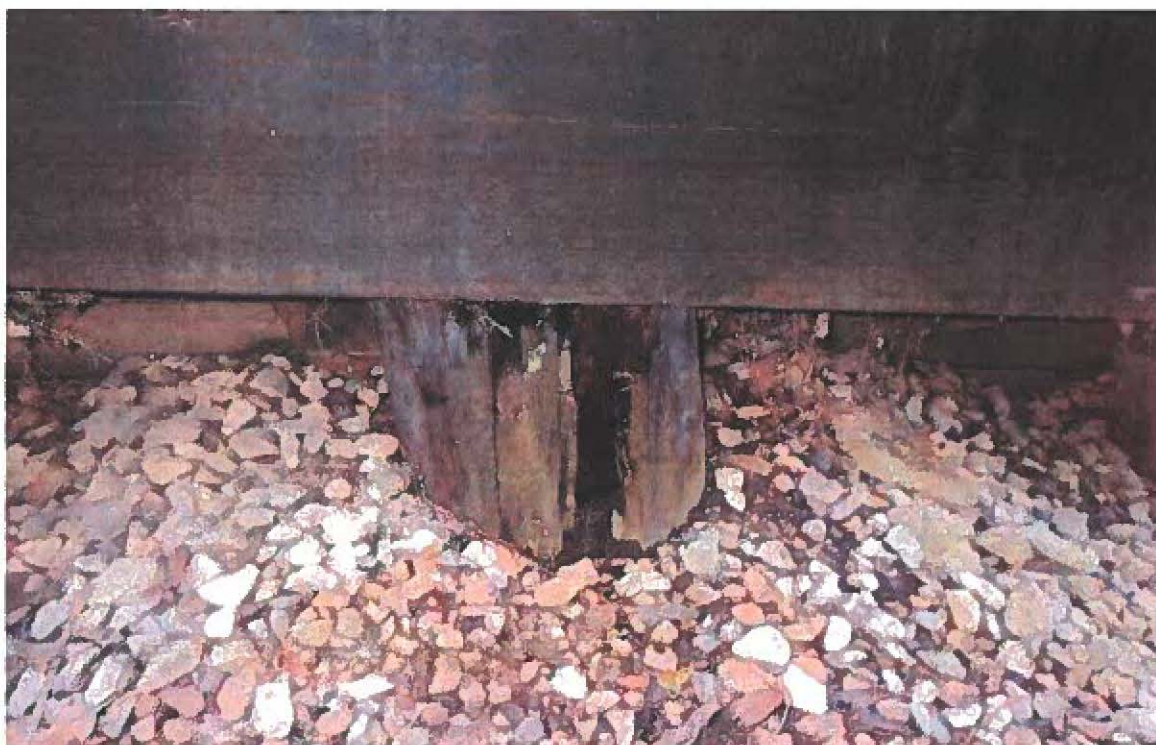
Bridge No. 35.50



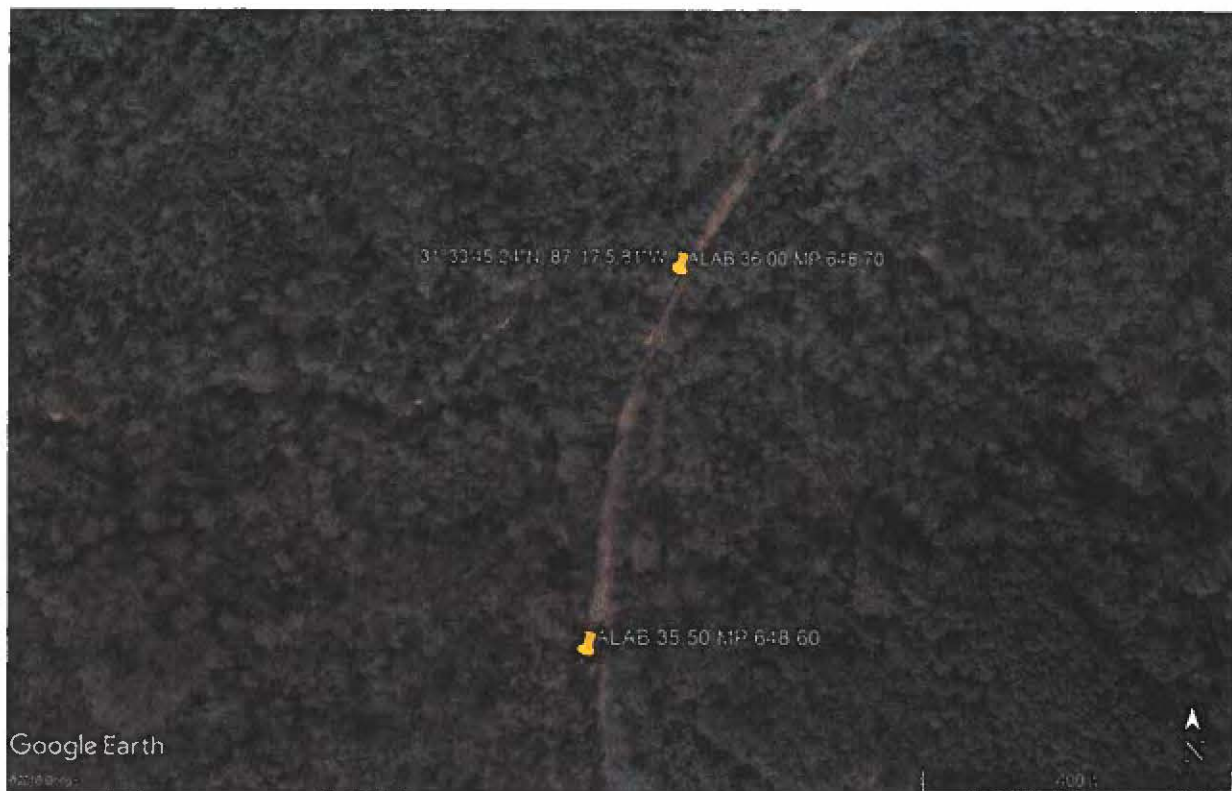
Bridge No. 35.50



Bridge No. 35.50



Bridge No. 35.50



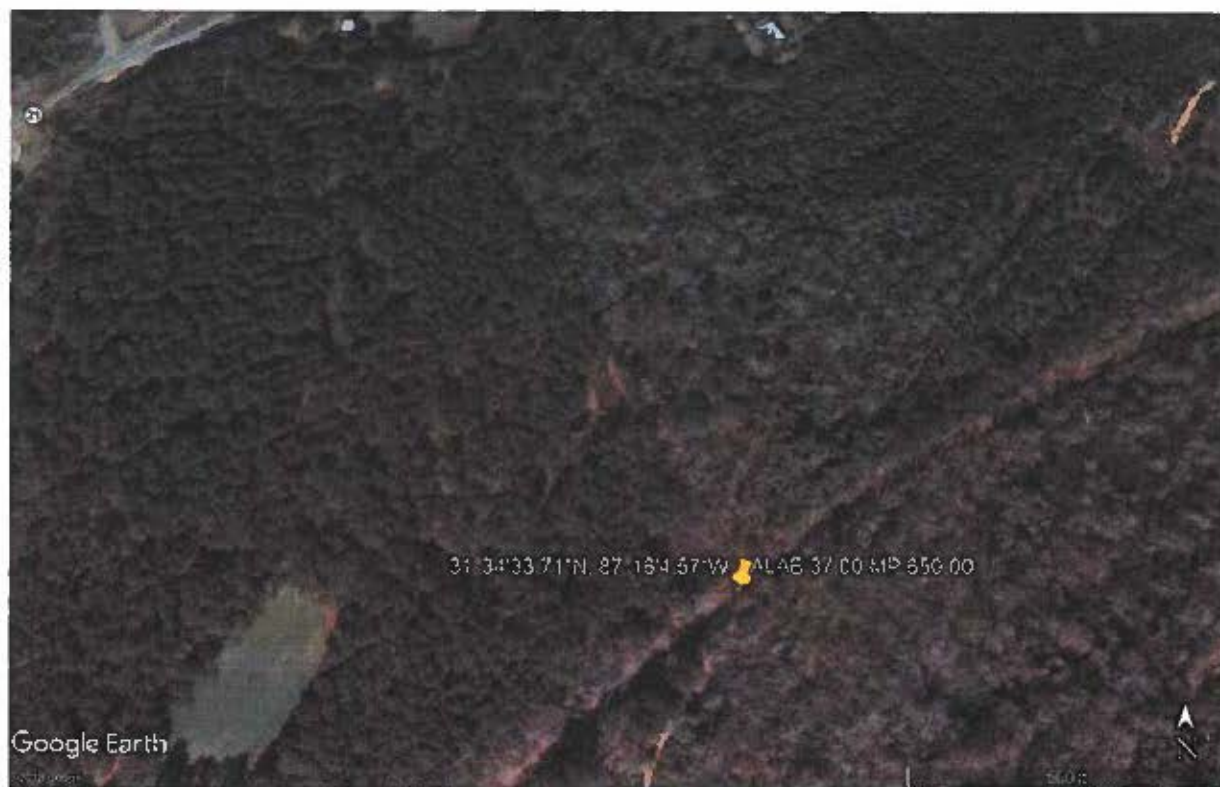
Bridge No. 36.00



Bridge No. 36.00



Bridge No. 36.00



Bridge No. 37.00



Bridge No. 37.00



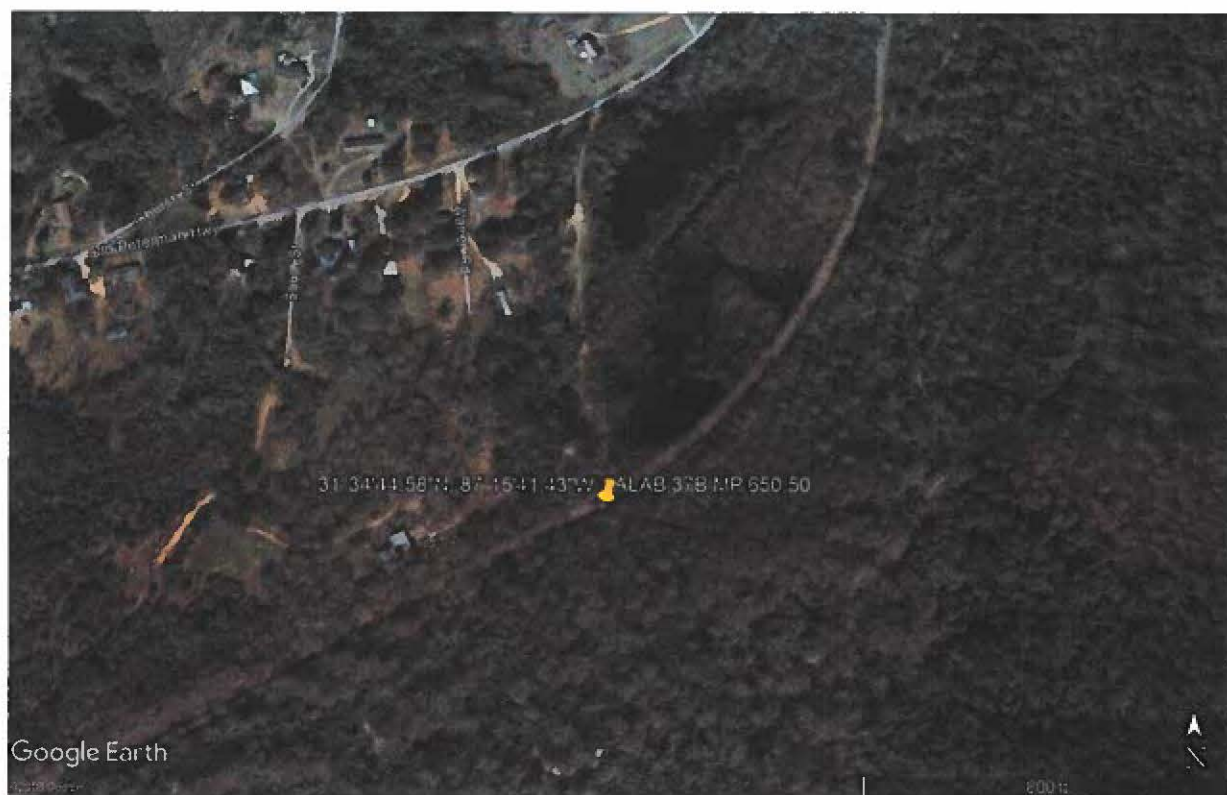
Bridge No. 37.00



Bridge No. 37.00



Bridge No. 37.00



Bridge 37B



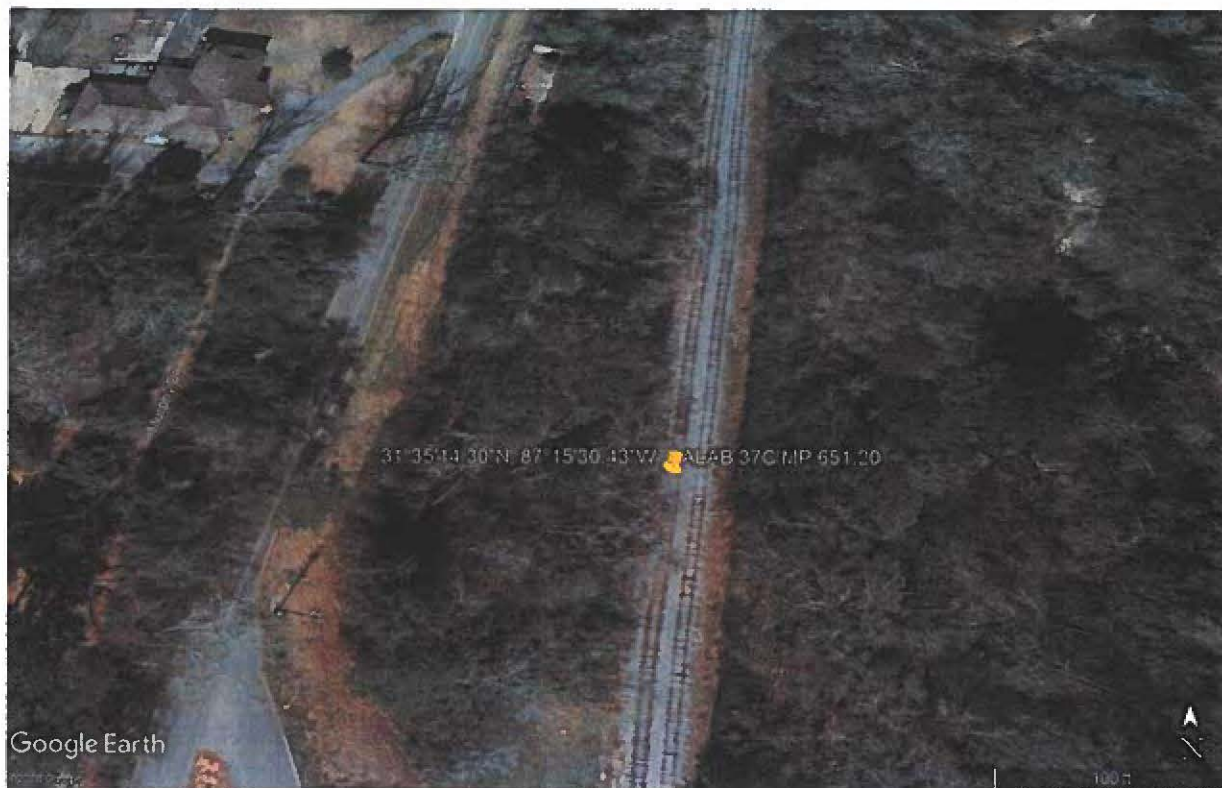
Bridge 37B



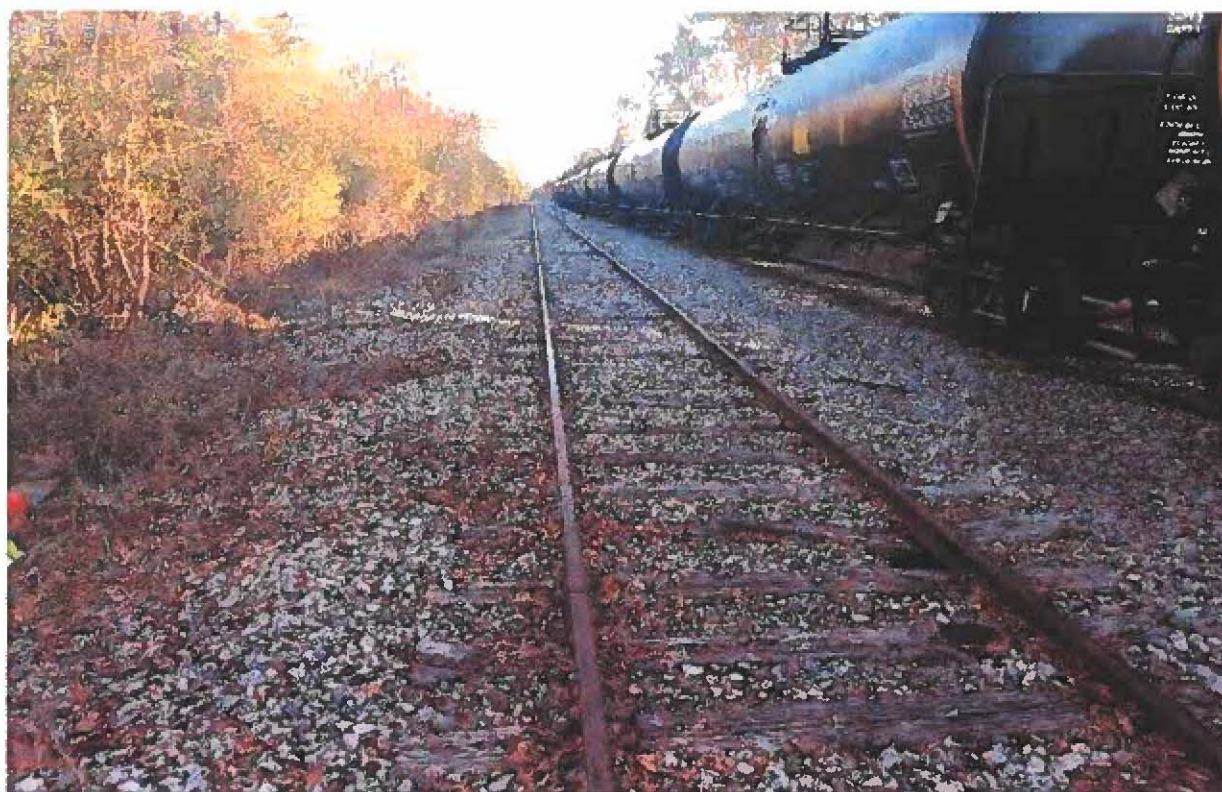
Bridge 37B



Bridge 37B



Bridge 37C



Bridge 37C



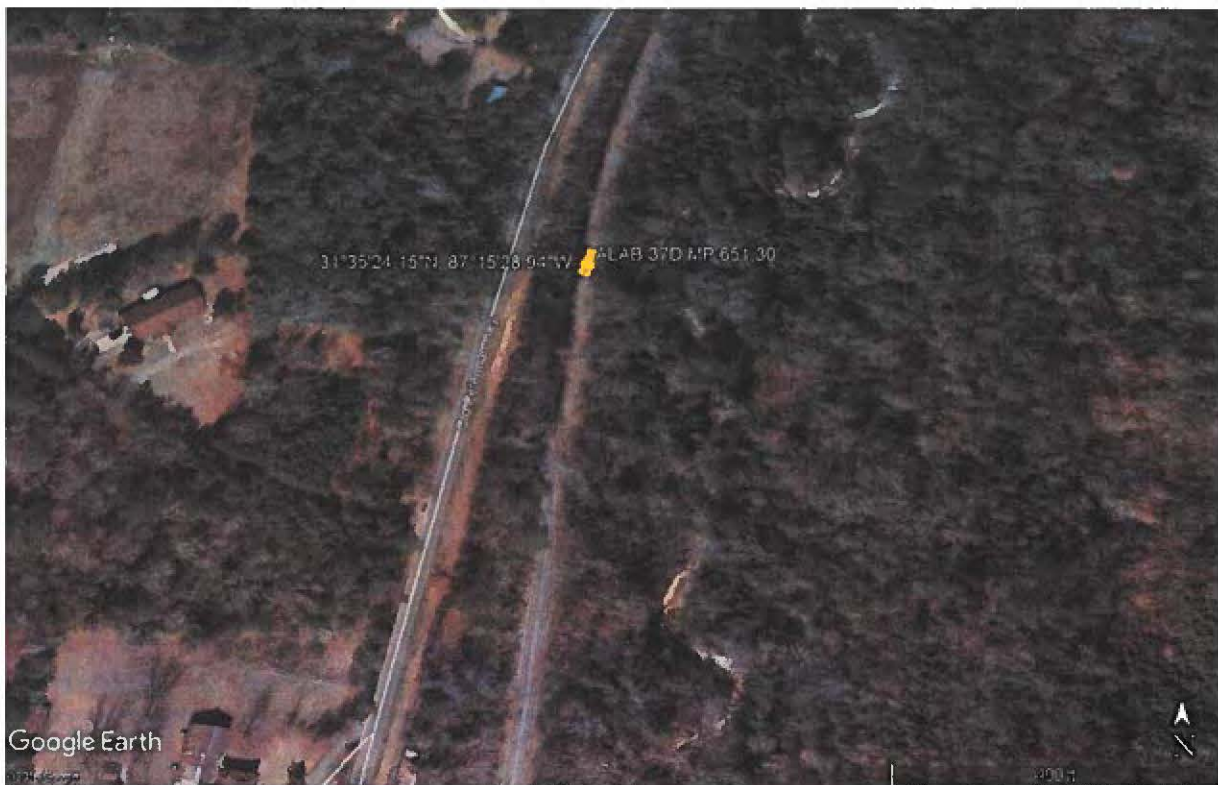
Bridge 37C



Bridge 37C



Bridge 37C



Bridge 37D



Bridge 37D



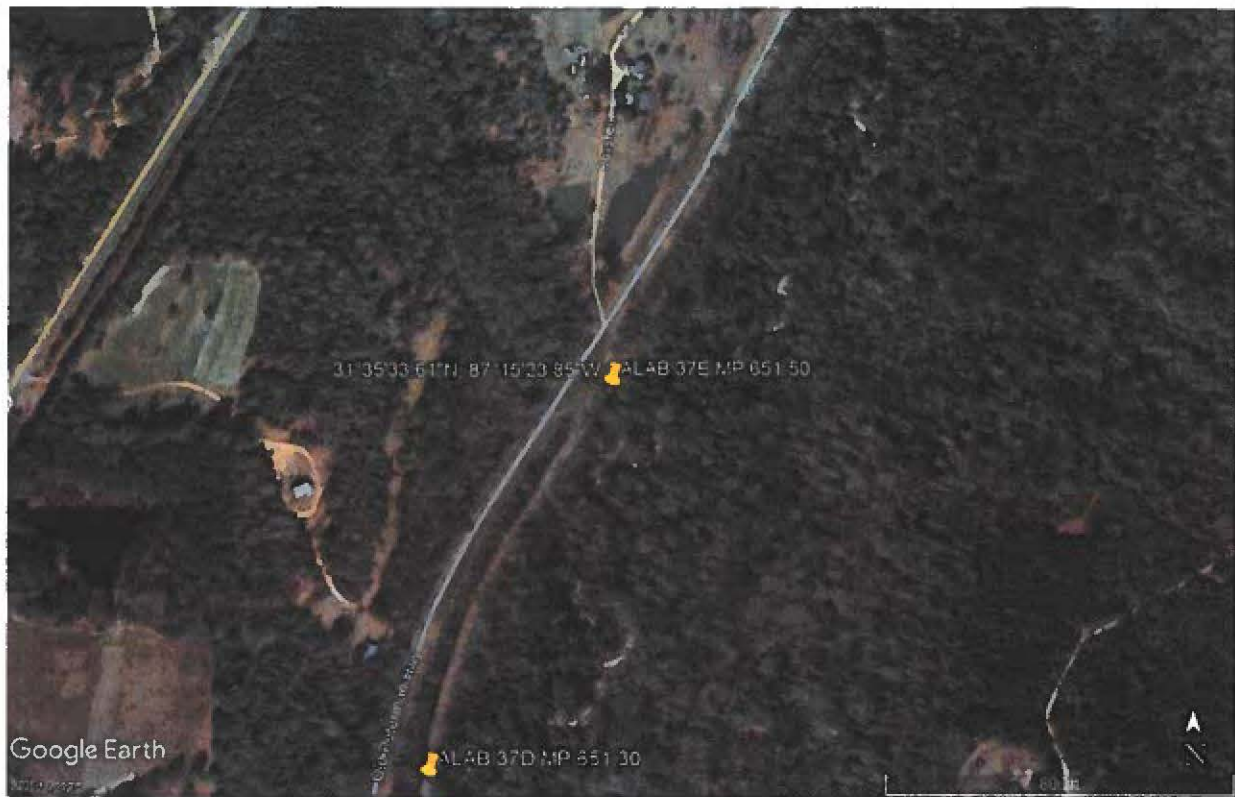
Bridge 37D



Bridge 37D



Bridge 37D



Bridge 37E



Bridge 37E



Bridge 37E



Bridge 37E



Bridge 37H



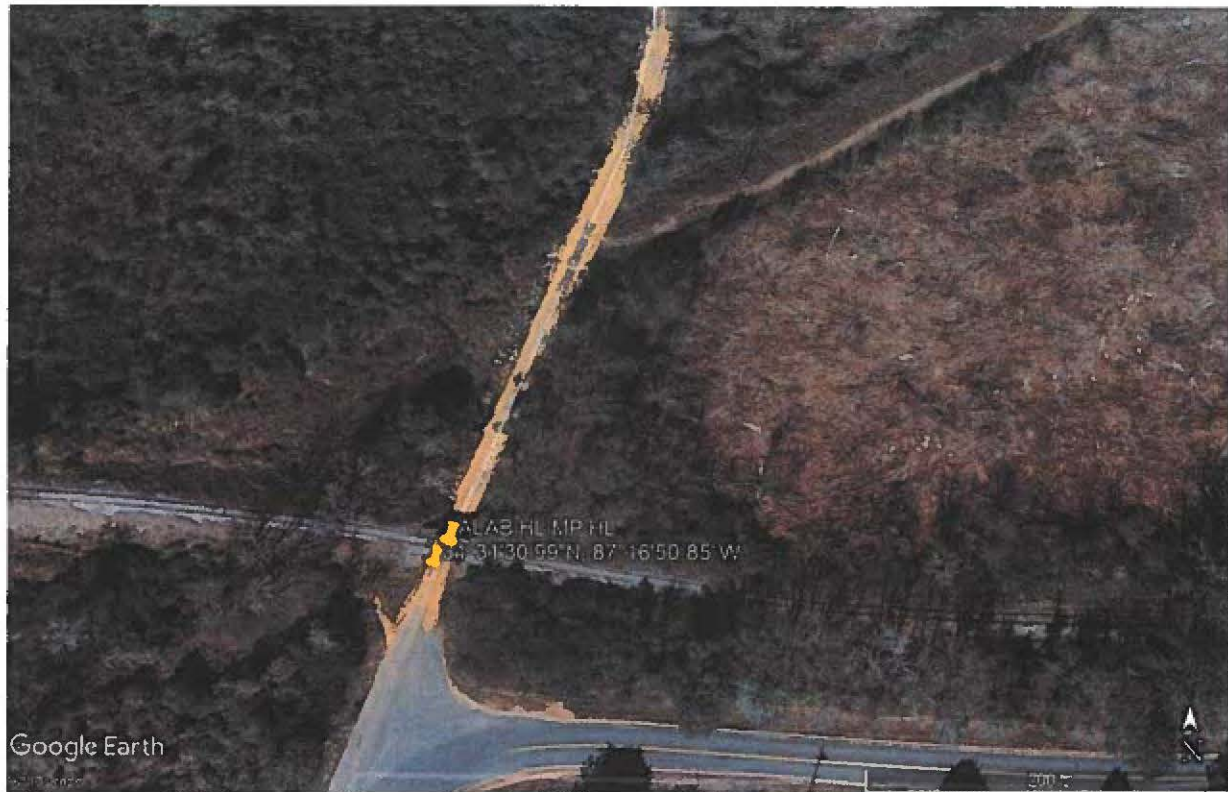
Bridge 37H



Bridge 37H



Bridge 37H



Bridge HL



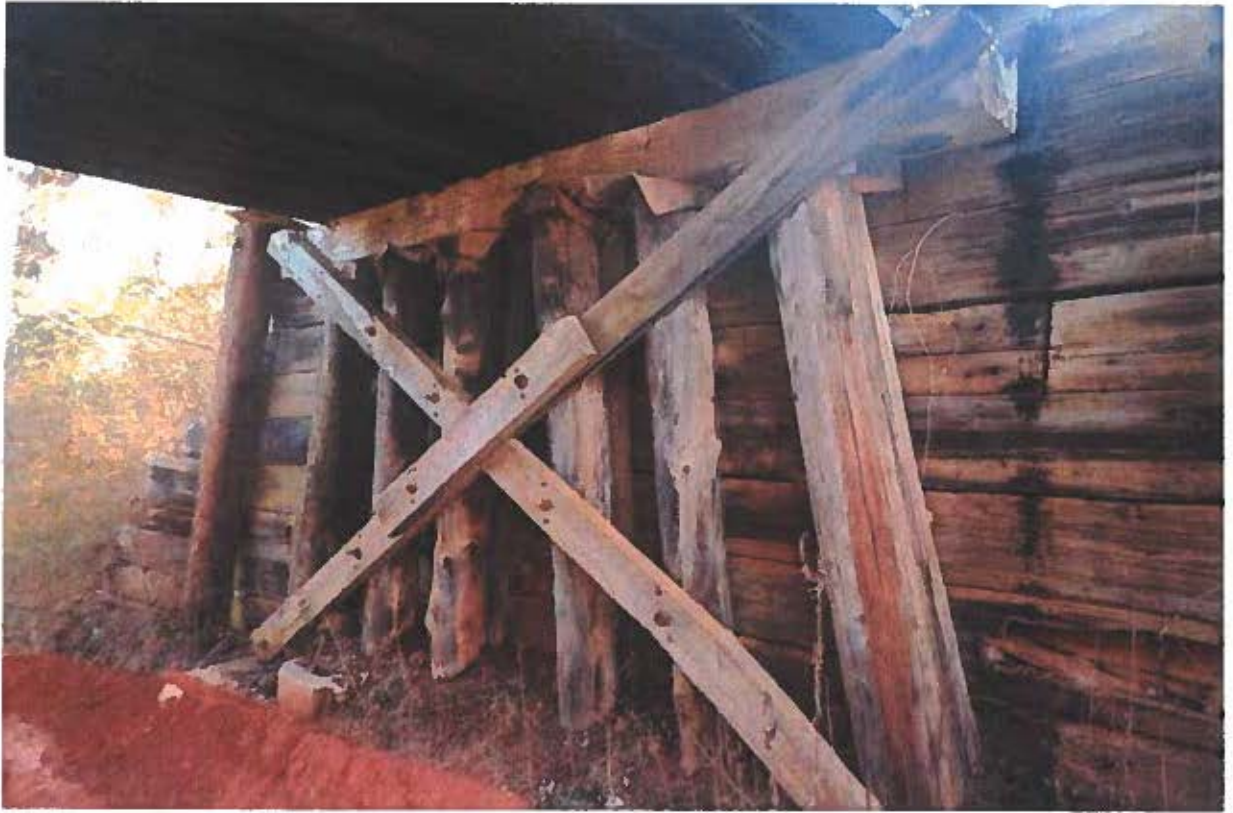
Bridge HL



Bridge HL



Bridge HL



Bridge HL

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

AB-463 (Sub-No. 2X)

**ALABAMA RAILROAD CO.
– ABANDONMENT EXEMPTION –
IN ESCAMBIA, CONECUH, AND MONROE COUNTIES, IN ALABAMA**

VERIFIED NOTICE OF EXEMPT ABANDONMENT

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

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[AB AB-463 (Sub-No. 2X)]

Alabama Railroad Co. – Abandonment Exemption – In Escambia, Conecuh, and Monroe Counties, In Alabama

Alabama Railroad Co. (“ALAB”)¹ has filed on March 29, 2019, a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments and Discontinuances to abandon rail service over an approximately 47.5-mile long rail line, which extends from approximately milepost 607.73 (at Flomaton, AL) to approximately milepost 655.2 (near Tunnel Springs, AL), including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 in Escambia, Conecuh, and Monroe, Counties, AL (the “Line”). The Line traverses United States Postal Zip Code territories 36426, 36441, 36460, 36471, and 36475. There are no customers served on the Line, which has been out of service for over two years.

ALAB has certified that: (1) no local ALAB traffic has moved over the Line for at least two years; (2) that no overhead ALAB traffic has moved over the Line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

¹ ALAB’s legal name is now Alabama Railroad Co., Inc.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 14, 2019, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),³ and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by _____, 2019. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by _____, 2019, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to ALAB's representative: Crystal M. Zorbaugh, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300, Washington, DC 20037.

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

ALAB has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

³ Each OFA must be accompanied by the filing fee, which is currently set at \$1,800. See 49 C.F.R. § 1002.2(f)(25).

environmental assessment (EA) by _____, 2019. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), ALAB shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by ALAB's filing of a notice of consummation by _____, 2020, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: _____, 2019.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings