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- Attorney At Law -
104 DEPOT ST. • P.O. BOX 129
SHELBYVILLE, TENNESSEE 37162

01031202004001
209513

TELEPHONE 931-684-6213

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Andrew C. Rambo
Megan A. Kingree

E-mail: rambo_a@bellsouth.net

November 26, 2003

VERNON WILLIAMS
SURFACE TRANSPORTATION BOARD
OFFICE OF THE SECRETARY
1925 K STREET NW ROOM 700
WASHINGTON DC 20423

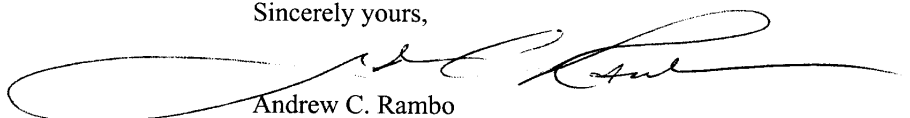
AB-601-1X
DEC 2 2003

Re: Pine Belt Southern Railroad Company, Inc.

Dear Mr. Williams:

Enclosed herewith please find our Notice of Exemption, Exhibits and attachments, together with ten copies. Also enclosed is a check in the amount of \$2,800.00 payable to the Surface Transportation Board.

Sincerely yours,


Andrew C. Rambo

ACR/ib
Enc.

ENTERED
Office of Proceedings
DEC 2 2003
Part of
Public Record

D.J.# 01031202004001

209513

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 601 Sub 1X

PINE BELT SOUTHERN RAILROAD COMPANY, INC.

-- ABANDONMENT --

BETWEEN ROANOKE JUNCTION AND LAFAYETTE,

IN LEE AND CHAMBERS COUNTIES, ALABAMA

NOTICE OF EXEMPTION

FEE RECEIVED

DEC 2 2003

SURFACE
TRANSPORTATION BOARD

FILED
DEC 2 2003
SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings
DEC 2 2003
Part of
Public Record

Dated: November 26, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB _____

PINE BELT SOUTHERN RAILROAD COMPANY, INC.

-- ABANDONMENT --

BETWEEN ROANOKE JUNCTION AND LAFAYETTE,
IN LEE, AND CHAMBERS COUNTIES, ALABAMA

NOTICE OF EXEMPTION

COMES NOW Pine Belt Southern Railroad Company, Inc. ("PBRR") and files this notice of exemption from regulation under 49 U.S.C. §§ 10903-10905, pursuant to the provisions of 49 U.S.C. § 10502 and 49 CFR § 1152.50, for abandonment of its line of railroad lying between Milepost T-322.40 at Roanoke Junction and Milepost T-339.66 at Lafayette, Alabama.

Pursuant to regulations adopted by the Interstate Commerce Commission in Ex Parte No. 274 (Sub-Nos. 8 and 8A), Exemption of Out of Service Rail Lines, 366 I.C.C. 885 (1983) and 1 I.C.C.2d 55 (1984), and by the Surface Transportation Board ("Board" or "STB") in STB Ex Parte No. 537, Abandonment and Discontinuance of Rail Lines and Rail Transportation Under 49 U.S.C. 10903, served December 24, 1996, and codified at 49 CFR § 1152.50, PBRR states as follows:

Traffic Certification - §§ 1152.50(b) and (d)(2).

As the attached certificate of President G. Richard Abernathy confirms, no traffic has originated, terminated or moved overhead on this line segment for at least two years, and no complaint is pending with the Board or a U. S. District Court or has been decided in favor of a complainant concerning cessation of service over this line within the two-year period.

Consummation Date - § 1152.50(d)(2)

The effective date of the abandonment between Milepost T-322.40 at Roanoke Junction and Milepost T-339.66 at Lafayette, Alabama, will be January 31, 2004.

General Corporate Information - § 1152.22(a)(1-2) and (7)

The party filing this notice is Pine Belt Southern Railroad Company, Inc., a common carrier by railroad subject to STB jurisdiction under the Interstate Commerce Commission Termination Act (Interstate Transportation Act) (49 U.S.C. Subtitle IV, Chapter 105), whose representative to whom correspondence may be sent is:

G. Richard Abernathy
President
Pine Belt Southern Railroad Company, Inc.
P.O. Box 1317
Shelbyville, TN 37162

Description of the Line and the Relief Sought - § 1152.22(a)(3-4 and 7)

The relief sought is authority for abandonment of the line. The line for which the abandonment authority is sought consists of 17.4 miles of track between Milepost T-322.40 at Roanoke Junction and Milepost T-339.66 at Lafayette, in Lee and Chambers Counties, Alabama. A map showing the line to be abandoned, other rail lines in the area, highways, and population

centers is attached as Exhibit 1 to this notice. The line traverses United States Postal Service ZIP Codes 36801, 36802, 36803, 36804, and 36862.

Suitability of the Line for Other Public Purposes - § 1152.22(e)(4)

PBRR has received no inquiries about public use of the right of way underlying the line segment to be abandoned and is unaware of any potential public purposes to which the right of way may be suited. PBRR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes.

Labor Protection - § 1152.50(d)(2)

Since the line to be abandoned has been out of service for over two years, PBRR believes no employees will be adversely affected by exercise of abandonment authority for this line. However, as a condition to exercise of the authority permitted in this matter, PBRR will accept the imposition of standard labor protective conditions as set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Reports: Certifications - § 1105.7 and § 1105.8

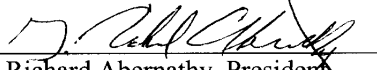
Attached are environmental and historical reports prepared and served in accordance with the Surface Transportation Board's regulations. PBRR certifies that the notice and transmittal requirements of § 1105.7, § 1105.8 and § 1105.11 have been met.

Service and Newspaper Notice Requirements Certification - § 1152.50(d)(1-2)

As the attached certification indicates, PBRR certifies that the service and notice requirements of § 1152.50(d)(1)(certain government agencies) and § 1105.12 (newspaper notice) have been complied with.

For the foregoing reasons, PBRR believes the proposed rail line abandonment is exempt from under 49 U.S.C. §§ 10903-10905 pursuant to 49 C.F.R. § 1152.50 and requests that the Board serve the appropriate notice.

Respectfully submitted,


G. Richard Abernathy, President
Pine Belt Southern Railroad Company, Inc.

Of Counsel:

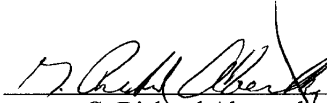
Andrew C. Rambo
Attorney at Law
P.O. Box 129
Shelbyville, TN 37162
(931) 684-6213

Dated: November 26, 2003

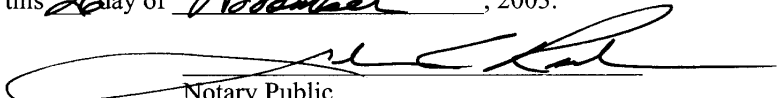
VERIFICATION

STATE OF TENNESSEE
COUNTY OF BEDFORD

G. Richard Abernathy, being duly sworn, deposes and says that he is President of Pine Belt Southern Railroad Company, Inc.; that he is authorized to sign, verify, and file with the Surface Transportation Board the foregoing Notice of Exemption in AB-601 Sub 1X on behalf of Pine Belt Southern Railroad Company, Inc.; that he has carefully examined all of the statements contained in said Notice of Exemption; that he has knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.


G. Richard Abernathy

Subscribed and sworn to before me this 26 day of November, 2003.

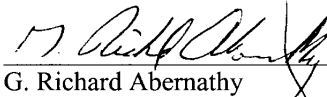

Notary Public

My Commission Expires: 7-19-04

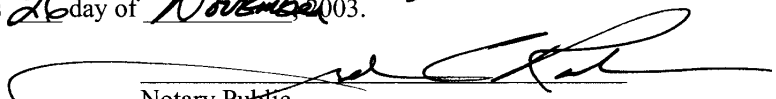
CERTIFICATION

STATE OF TENNESSEE
COUNTY OF BEDFORD

G. Richard Abernathy makes oath and says that he is President for Pine Belt Southern Railroad Company, Inc.; that the line between Milepost T-322.40 at Roanoke Junction and Mileposts T-339.66 at Lafayette, Alabama, over which operations are to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead 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; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending 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.


G. Richard Abernathy

Subscribed and sworn to before me this 26 day of November, 2003.


Notary Public

My commission expires: 7-19-04

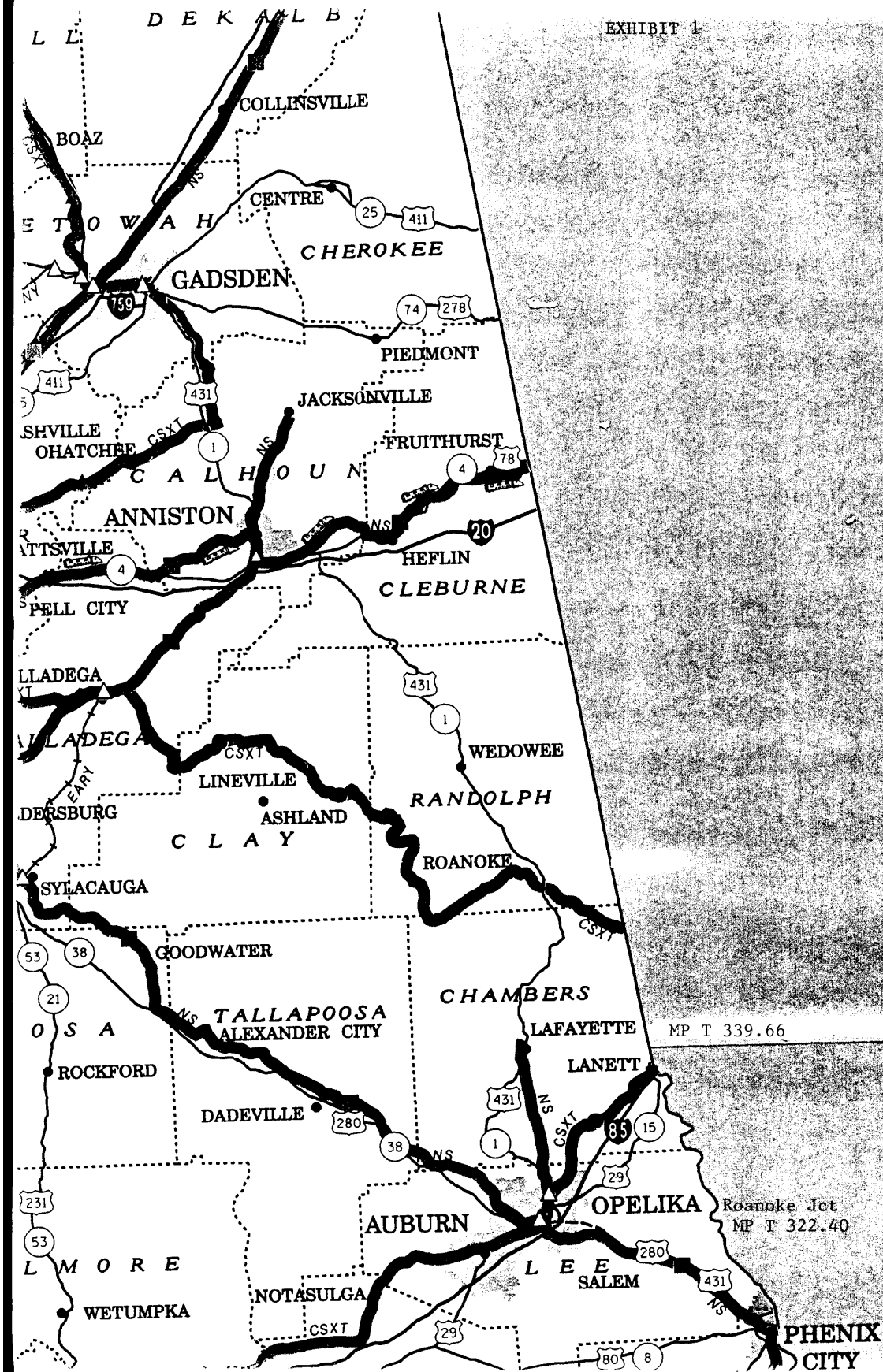


EXHIBIT 2

ENVIRONMENTAL AND
HISTORIC REPORTS

ENVIRONMENTAL REPORT ON
PROPOSED RAIL LINE ABANDONMENT

**Abandonment of: 17.4 miles of track between MP T-322.40 and MP T-339.66 from
Roanoke Junction to Lafayette, Alabama**

1. PROPOSED ACTION AND ALTERNATIVES

Pine Belt Southern Railroad Company, Inc. (hereinafter called PBRR) proposes to abandon use of 17.4 miles of rail line from Roanoke Junction to Lafayette, Alabama. A Map delineating the line proposed for abandonment is attached as Appendix A.

The alternatives to abandonment of this line are not to abandon or to discontinue service on the line and retain the trackage in place. Not abandoning the line would avoid the temporary impacts from salvage and recycling of the rails and cross-ties, but eliminate the long-term environmental and social benefits.

2. TRANSPORTATION SYSTEM

Effects of the proposed action on regional or local transportation systems and patterns are expected to be negligible. Within the last two years, no rail freight or passenger traffic has moved on the line segment proposed for abandonment. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

3. LAND USE

(i) The proposed abandonment involves 17.4 miles of rail line from Roanoke Junction to Lafayette, Alabama. The land use along the rail line proposed for abandonment of service is

approximately 5% commercial, and 95% wooded. PBRR owns the right-of-way (ROW), and it will sell to the adjacent owners, with local zoning and development ordinances controlling future land use. With respect to effects of the proposed rail line abandonment on land use, PBRR believes any impact will be negligible. The absence of traffic on the rail line proposed for abandonment indicates a substantial lack of rail dependent land uses in the service area. Since no rail traffic moves on the line over which service is to be abandoned, the abandonment is not expected to have any effect on existing land use, future land use, land use plans or the land use planning process. Therefore the proposed abandonment is expected to be consistent with any land use plans for the service area.

(ii) Prime Agricultural Lands

No effects on any prime agricultural land are anticipated as a result of the abandonment.

(iii) Coastal Zone

Not Applicable

(iv) Alternative Public Use

Location, physical condition, and adjacent conditions, leads PBRR to believe the ROW of the line proposed for abandonment would not be suitable for highways, other forms of mass transit, energy production related transportation facilities, conservation or recreation corridors, or other public use.

4. ENERGY

(i) Development and Transportation of Energy Resources

Development and transportation of energy resources will not be affected by the abandonment.

No freight or passenger traffic has moved on the line proposed for abandonment for two years,

and therefore compared with the past two years the abandonment would have no effect on development and transportation of energy resources.

(ii) Movement/Recovery of Recyclable Commodities

Movement/recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore compared with the past two years the abandonment would have no effect on movement or recovery of recyclable commodities.

(iii) Impact on Energy Efficiency

Energy efficiency will not be impacted by the proposed abandonment. No freight or passenger traffic has moved on the line proposed for abandonment for two years, and therefore, compared with the past two years, the abandonment would have no effect on energy efficiency.

(iv) Diversion of Traffic to Motor Carriers

No traffic is expected to be diverted to motor carriers in connection with the proposed abandonment.

5. AIR

The proposed action is abandonment and does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(5) and therefore does not require a quantified analysis of emissions.

(i) Effects on Air Emissions

Lee County and Chambers County do not have established analysis thresholds for air emissions.

The United States Environmental Protection Agency (USEPA) has National Ambient Air Quality Standards (NAAQS) for pollutants (including ozone) as found in 40 CFR Part 50. The

State of Alabama is regulated by the NAAQS. PBRR does not anticipate any adverse effect on Alabama's air quality as a result of the proposed abandonment.

(ii) Class I or Non-Attainment Area

Lee County and Chambers County are in attainment for all National Ambient Air Quality Standard (NAAQS) pollutants according to the USEPA and the Alabama Department of Environmental Protection. Lee County and Chambers County are in attainment for ozone. PBRR does not believe any Class I or Non-Attainment areas would be affected by the proposed abandonment.

(iii) Ozone Depleting Materials

Not applicable. Transportation of ozone depleting materials (such as nitrogen oxide and freon) is not contemplated, since the proposed action is abandonment.

6. NOISE

The proposed action does not exceed Surface Transportation Board thresholds at 49 CFR 1105.7 (e)(6) and therefore does not require a quantified analysis of noise levels. Noise levels associated with rail removal or salvage operations will be temporary and will not have a significant impact on the area surrounding the proposed abandonment.

There is no federal noise regulation according to the USEPA. Neither Lee and Chambers Counties nor the State of Alabama have established analysis thresholds for noise.

7. SAFETY

(i) Public Health and Safety

Abandonment of the captioned rail line will have no significant effect upon public health or

safety. At the existing grade crossings on the line to be abandoned, the potential for accidents and delays will be eliminated.

(ii) Hazardous Materials Transport

Not applicable. Action proposed is abandonment.

(iii) Hazardous Waste or Hazmat Spill Sites

PBRR has no knowledge of any hazardous waste sites or sites where there have been known hazardous material spills on the ROW of the line proposed for abandonment or which will be affected by this abandonment.

8. BIOLOGICAL RESOURCES

(i) Endangered Species/Critical Habitat

The US Fish and Wildlife Service and the Alabama Department of Fish & Wildlife Resources have indicated no endangered species are known to occur in Lee and Chambers Counties. PBRR is not aware of any critical habitat that would be destroyed or modified as a result of the proposed abandonment. Since salvage operations will be handled generally within the ROW, PBRR does not believe that any endangered species that might be present would be adversely affected. PBRR is willing to undertake reasonable mitigating actions to protect any endangered species that might be encountered in connection with abandonment activities.

(ii) Sanctuaries, Refuges and Parks

Based on the site investigation and comments received from government agencies, the line segment proposed for abandonment does not pass through any parks, national forests, or wildlife sanctuaries. No adverse effects on any wildlife sanctuary, National Park, or State Park are anticipated.

9. WATER

(i) Water Quality Standards

PBRR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned. The areal extent of disturbed areas will be kept to a minimum and limited to the ROW wherever possible. Since there are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, no water quality impacts are expected in connection with the proposed action. Therefore, PBRR considers the abandonment to be consistent with any applicable Federal, State and/or local water quality standards.

(ii) Wetlands/100- Year Flood Plains

The line proposed for abandonment crosses Boyds Creek and other streams, and passes through 100-year flood plains. Since the geometry of the roadbed will not be significantly altered, no discernible effects on 100-year flood plains are expected in connection with the proposed abandonment. Consequently, PBRR does not believe a Section 404 permit will be required in connection with the proposed abandonment.

(iii) Section 402 Permit

Inasmuch as PBRR does not intend to either appreciably remove or alter the contour of the roadbed underlying the rail line to be abandoned, undertake significant in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment, water quality effects should be negligible. PBRR does not believe that a permit under Section 402 of the Federal Water Pollution Control Act will be required.

10. PROPOSED MITIGATION

Abandonment of the involved rail line is not expected to produce adverse environmental impacts.

Only minimal physical activity associated with removal of rail, ties, and other railroad appurtenances will be produced by the proposed action. PBRR will undertake all reasonable mitigation associated with these activities to assure that physical activities associated with the abandonment does not produce adverse environmental effects.

HISTORIC REPORT

PROPOSED RAIL LINE ABANDONMENT

PROPOSED ACTION AND ALTERNATIVES

Pine Belt Southern Railroad Company, Inc. (PBRR) proposes to abandon 17.4 miles of rail line between Milepost T-322.40 at Roanoke Junction and Milepost T-339.66 at Lafayette, Alabama. A map delineating the line proposed for abandonment is attached as Appendix "A".

The alternatives to abandonment of the line are to not abandon or to discontinue service on the line, retaining the trackage in place. Neither of these alternatives is economically feasible for PBRR.

ADDITIONAL INFORMATION

- (1) U.S.G.S. Topographic Map – Maps were furnished to the Alabama Historic Commission.
- (2) Written Description of Right of Way - The right of way width varies, but is generally 50 feet on each side of the main track centerline. The line passes through commercial (5%) and wooded (95%) areas.
- (3) Photographs - Not applicable. There are no structures on the line that are 50 years old and older.
- (4) Date of Construction of Structures - Not applicable.
- (5) History of Operations and Changes Contemplated - The subject 17.4-mile rail line of Pine Belt Southern Railroad Company, Inc. between Milepost T-322.40 at Roanoke Junction,

Alabama and Milepost T-339.66 at Lafayette, Alabama was built as a portion of the East Alabama Railway which was in operation in the 1890's.

The Central of Georgia Railroad began as a cotton hauler. It was chartered in 1833 to be a part of the rail connection from the port city of Savannah, Georgia into the interior of the state. To expand its rail business into Alabama, it bought the Montgomery & Eufaula Railroad in 1879. This railroad was later reorganized in 1895, and several shortlines were acquired by the Central of Georgia, including the East Alabama Railway.

The Opelika to Roanoke service was known as the "Johnney Ray Train" (for its popular engineer) or the "The Roanoke Rocket." The northern portion of the line, Lafayette to Roanoke, was abandoned in 1982. (Interestingly, Coach 314, believed to be the last remaining "Jim Crow" coach and which was part of the "Rocket," in the 1930's was recently taken to the Central of Georgia Railroad Museum.)

In 1963 the Central of Georgia became a part of the Southern Railway Company which was acquired by the Norfolk Southern Railway in 1974. The Norfolk & Western Railway and the Southern Railway consolidated in 1982 to form Norfolk Southern Corporation.

Norfolk Southern was operating this southern portion of the line on August 9, 1995 when the subject rail line was sold to the Pine Belt Southern Railroad Company to be operated as a shortline; interchanging with CSXT's mainline at Roanoke Junction, Alabama. The rail traffic was limited to one customer hauling pulp wood and wood chips.

In recent years the owners of the lumber company sold the company, and the new owners changed their transportation mode to motor carrier. There is no demand or need, therefore, for rail transportation along this line of track.

The change contemplated in the operation of this line of railroad track between Roanoke

Junction and Lafayette, Alabama is for the Pine Belt Southern Railroad Company to abandon the subject, unneeded and unproductive line of railroad; then selling the land to adjacent owners after salvaging other assets.

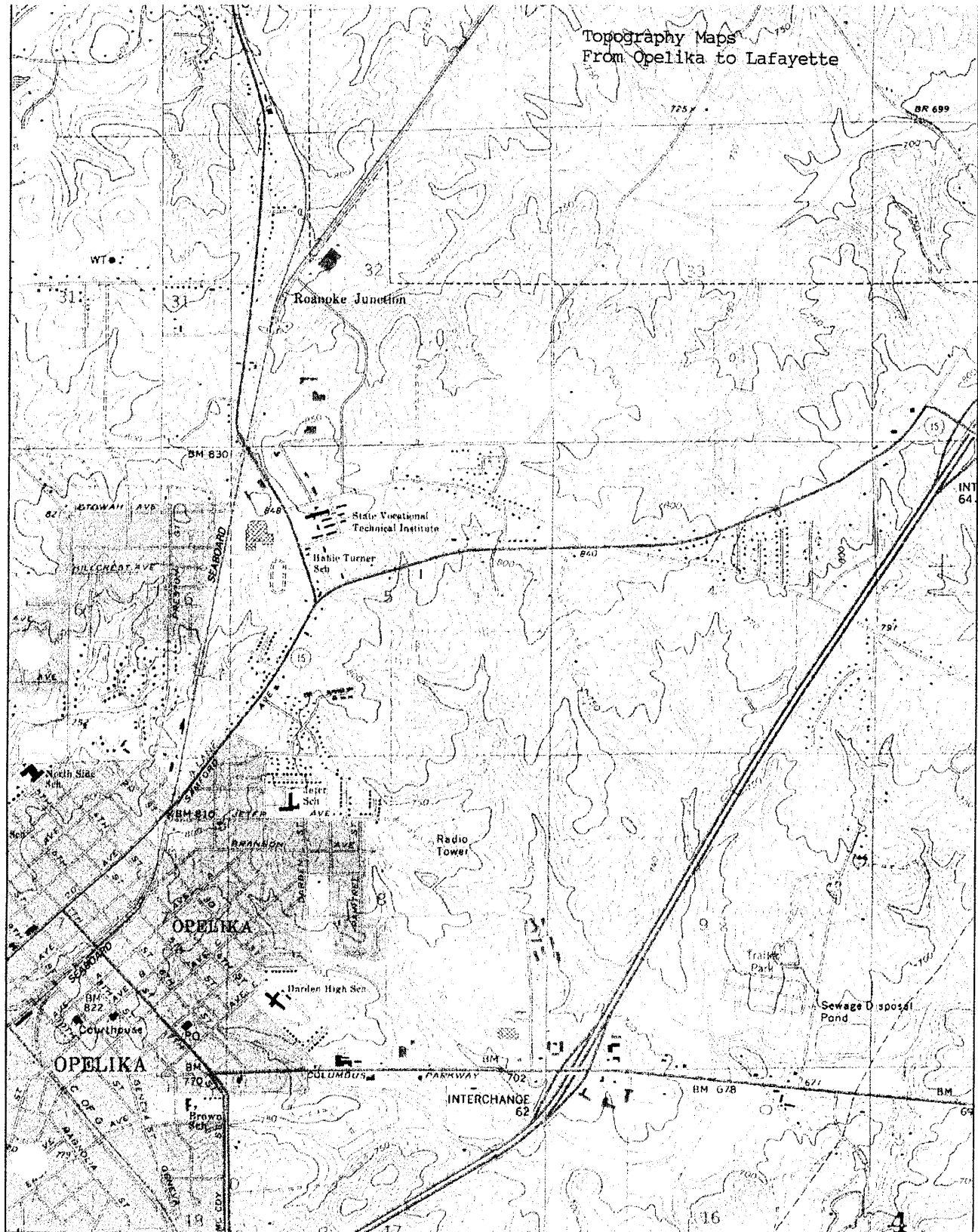
(6) Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic - Not applicable.

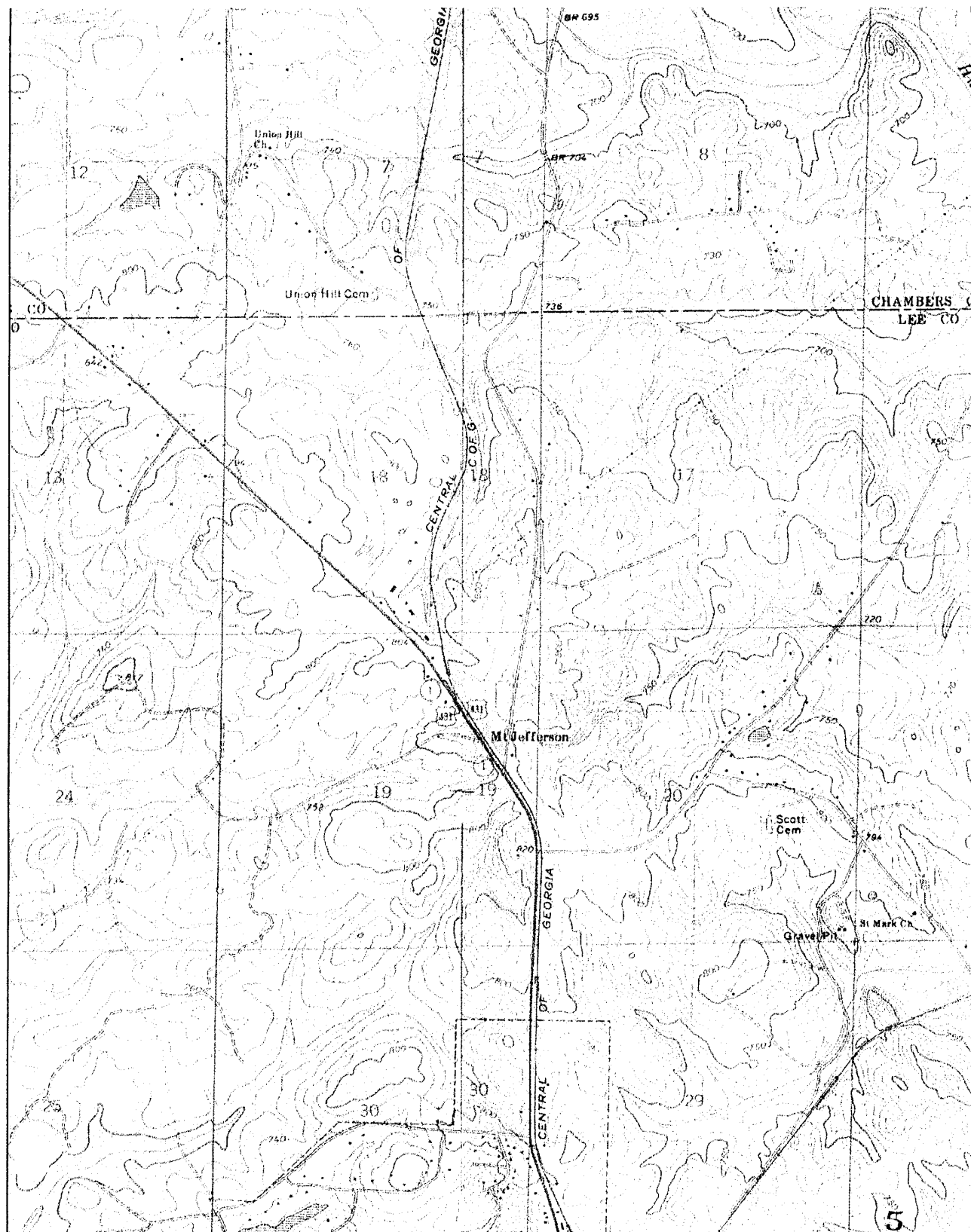
(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places - There are no structures on the line to be abandoned. The line passes through commercial and wooded areas. Carrier has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment.

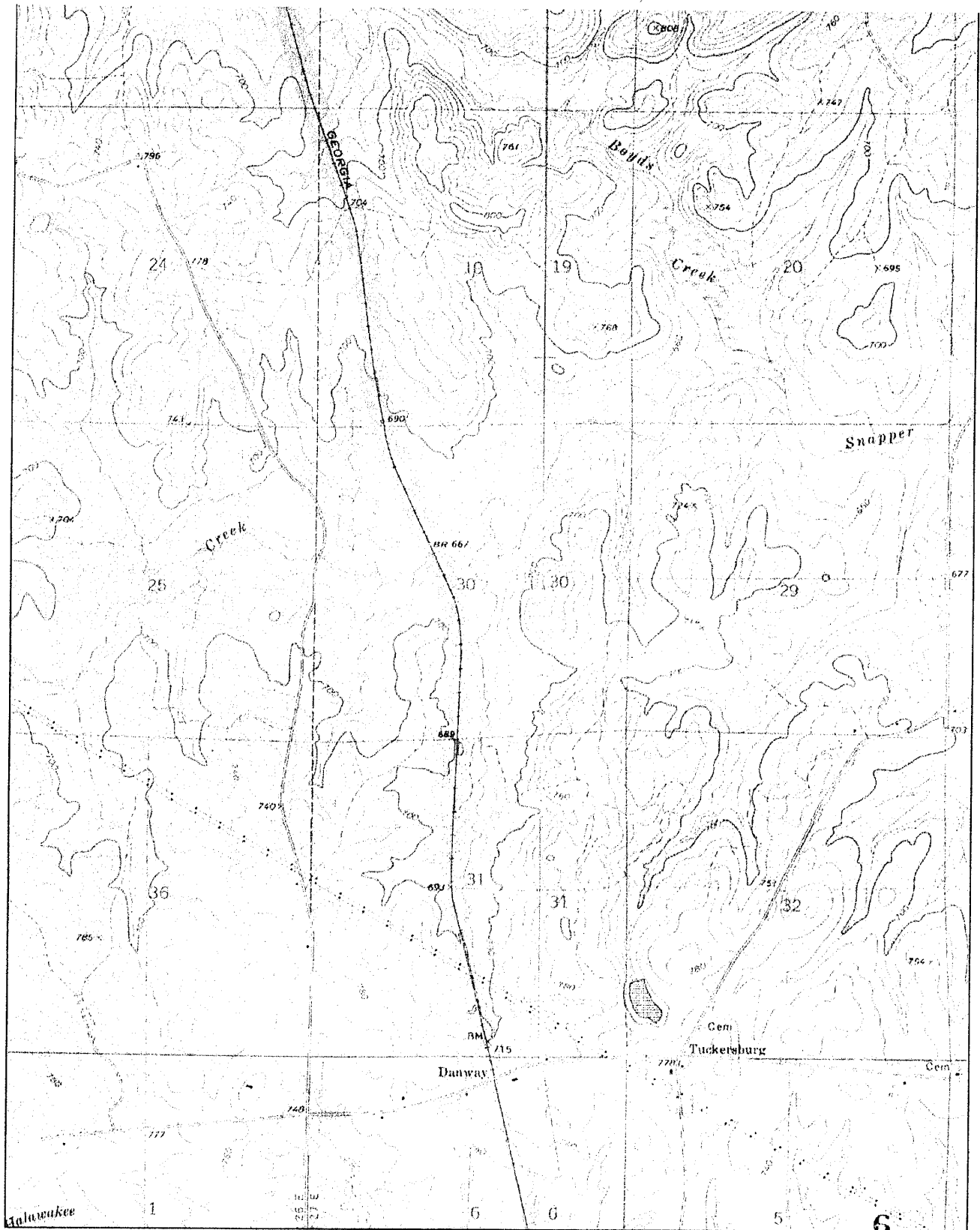
(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery - Carrier is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery.

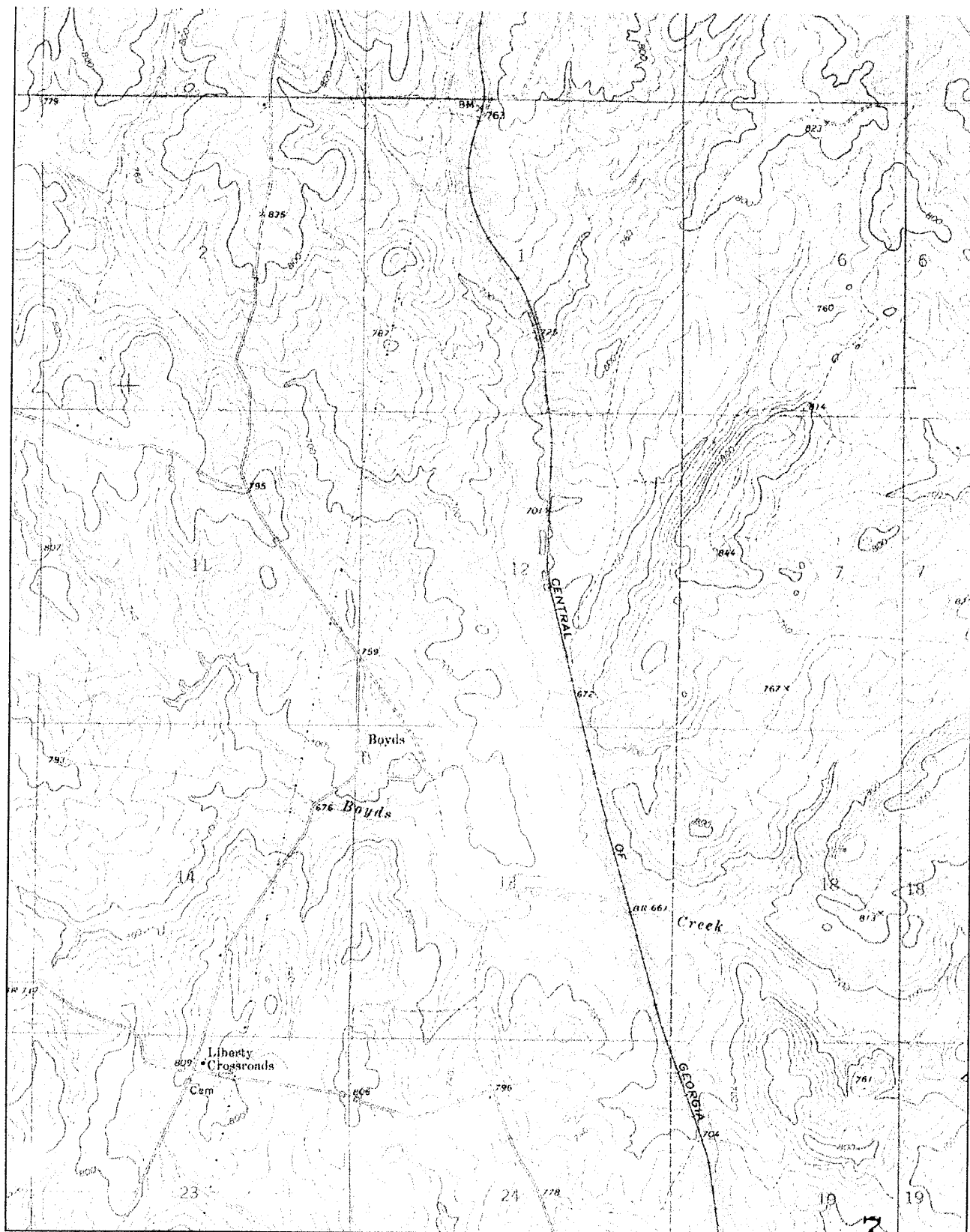
(9) Follow-Up Information -- Additional information will be provided as appropriate.

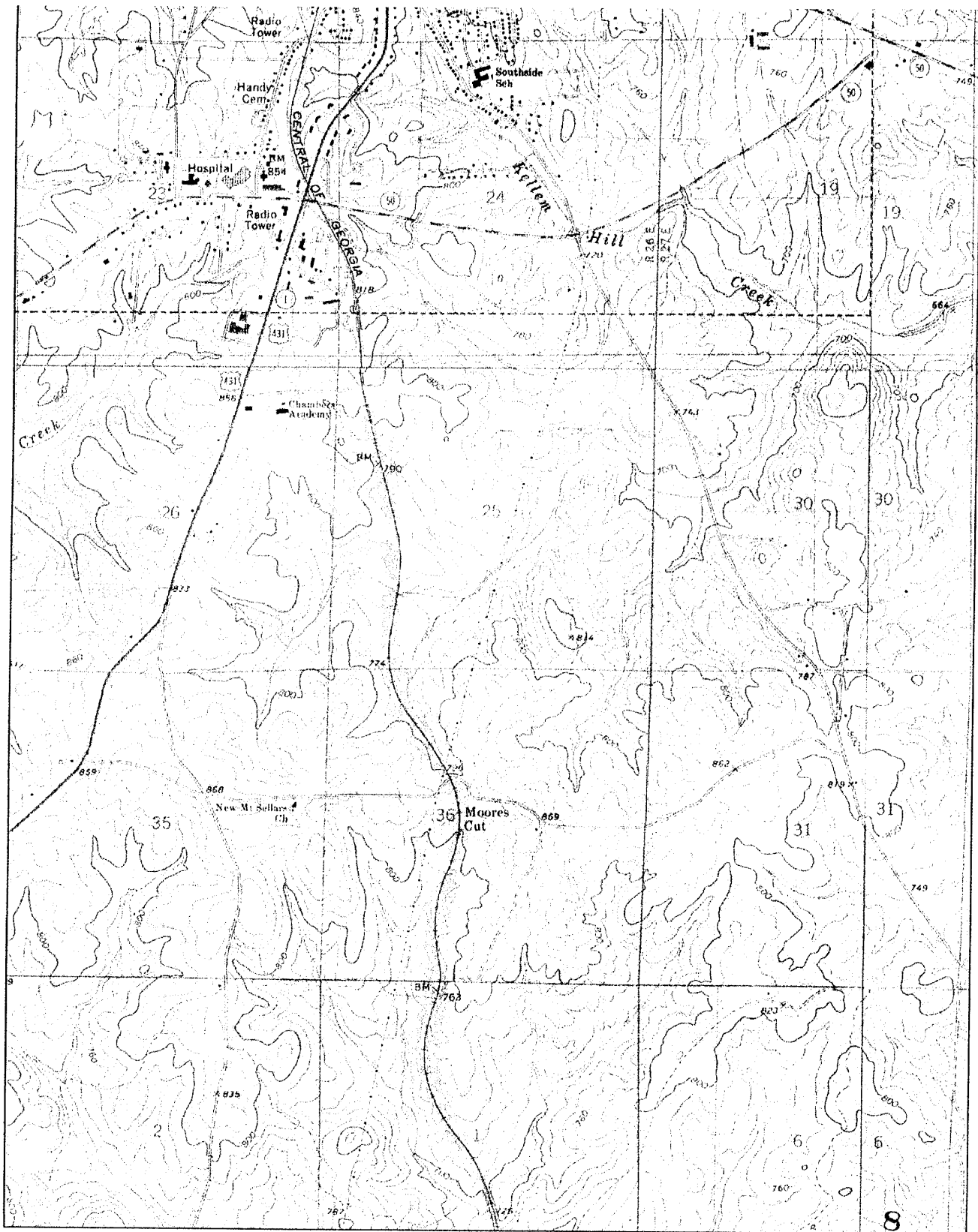
Topography Maps
From Opelika to Lafayette











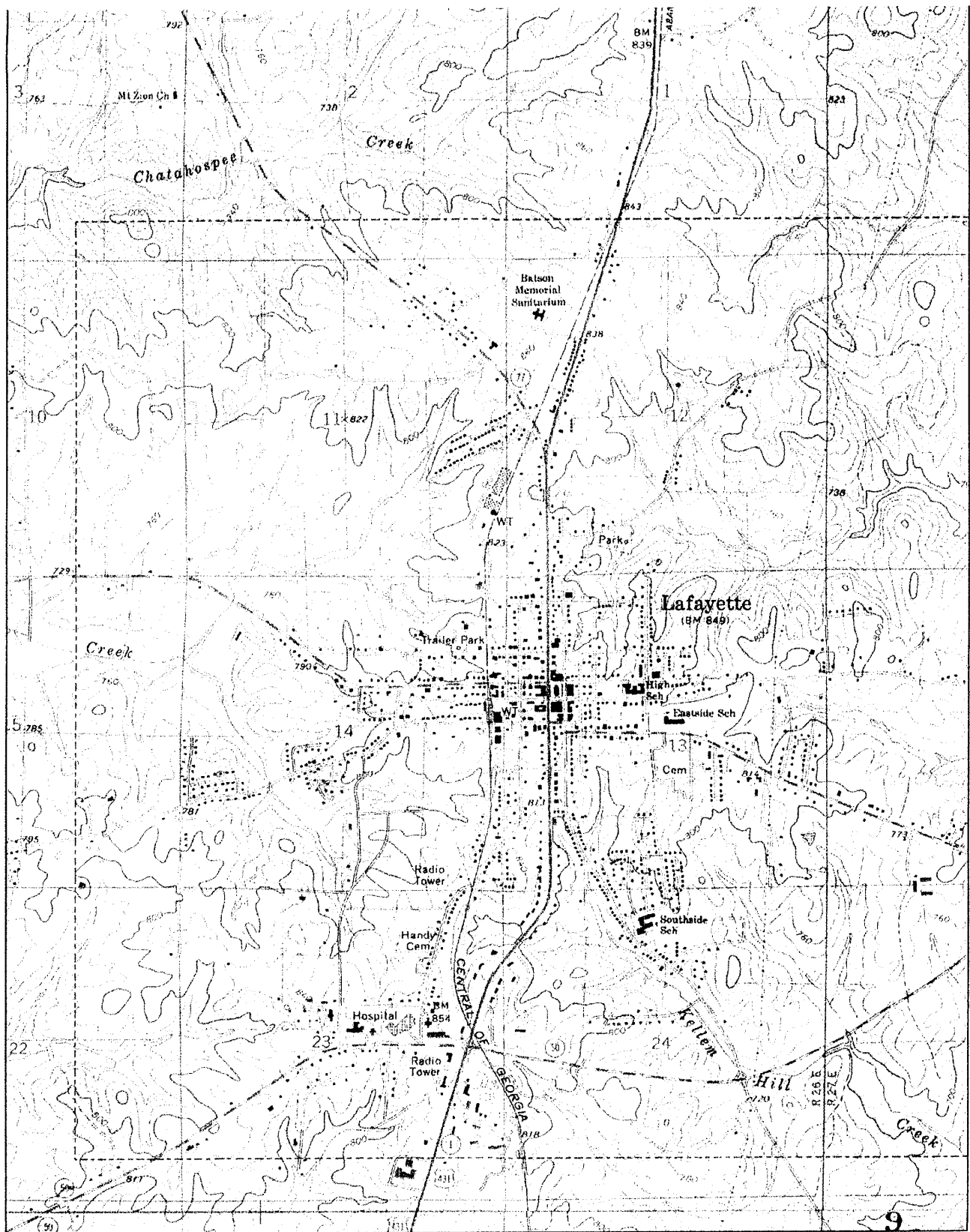


EXHIBIT 3

PUBLISHED NOTICE OF
INTENT TO ABANDON

LG4630

**NOTICE OF INTENT TO
ABANDON RAIL SERVICE**

Pine Belt-Southern Railroad Company, Inc. gives notice that on or about December 1, 2003, it intends to file with the Surface Transportation Board (STB), Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments, permitting the abandonment of a 17.4 mile line of railroad between milepost T-322.40, near Roanoke Junction and milepost T-339.66, near Lafayette, which traverses through United States Postal Service Zip Codes 36801, 36802, 36803, 36804, and 36862 in Lee and Chambers Counties, Alabama. The proceeding will be docketed as No. AB 601 sub 1. The STB's Section of Environmental Analysis (SEA) will generally prepare an Environment 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 an STB decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K. Street, NW, Washington, DC 20423 or by calling that office at (205) 565-1526.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K. Street, NW, Washington, DC 20423 [See 49 CFR 1104.1 (a) and 1104.3 (a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (202) 565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: G. Richard Abernathy, P.O. Box 1317, Shelbyville, TN 37162 (931) 684-7376. September 17, 2003

**LEGAL AFFIDAVIT
STATE OF ALABAMA
LEE COUNTY**

Legal #LG4630

Identification Line: LG4630 Notice fo Abandon Rail Se

Amount: \$114.80

Account

Before me, the undersigned authority in and for Said County in said State, this personally, appeared Kathy Faircloth who is known to me and who being by me first duly sworn, deposed and says: that she is Legal Supervisor of The Opelika-Auburn News and The Auburn Bulletin, two newspapers published at Opelika, In Lee County, Alabama and that a copy of the attached advertisement appeared once a week for 1 successive week(s), on the following dates September 17, 2003 In The Opelika-Auburn News and/or The Auburn Bulletin, which said the newspapers has a general circulation in the County in which it is published and has been mailed under the second class mailing privileges of the United State Post Office Department from the post office where it is published for more than fifty-two consecutive weeks prior to this publication.

Sworn to and subscribed before
me on this 17th

day of September, 2003

Virginia C Moore

NOTARY PUBLIC

11-30-03

My Commission Expires

State of Alabama, Chambers County

Before me, Lisa L Edge
a Notary Public in and for said County and State, personally appeared
Michael D. Hand, who, being by me legally sworn,
deposes and says:

I am the publisher/editor of The LaFayette Sun, a newspaper
published weekly, in LaFayette, Chambers County, Alabama; the fore-

going notice

Of Abandon
Rail Service

Was published in said newspaper once a week for 1 consecutive
weeks, beginning with the issue of Sept 17 03,

and appearing in the issues of said newspaper of dates

Michael D. Hand

Publisher/Editor

Sworn to and subscribed before me this

2 day of Oct 03

Lisa L Edge

Notary Public

NOTICE OF INTENT TO ABANDON RAIL SERVICE

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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

✓ Mr. Chris Longcrier
Railway Track Supervisor Railway Safety Section
Alabama Public Service Commission
P.O. Box 3042460
Montgomery, AL 36130

✓ MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

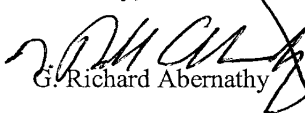
✓ U.S. Department of Agriculture
✓ Chief of the Forest Service
Sidney R. Yates Federal Building
201 14th Street, SW at Independence Avenue, SW
Washington, DC 20250

✓ National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

✓ National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

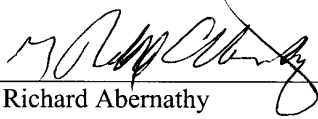
Pursuant to 49 CFR. 1152.50(d)(1), Pine Belt Southern Railroad Company, Inc. (PBRR) hereby gives notice that on or about December 1, 2003, it will file with the Surface Transportation Board a notice of exemption from regulation in accordance with the exemption regulations set forth at 49 CFR Part 1152, Subpart F. That notice of exemption will permit PBRR abandonment of a 17.4 mile line of railroad lying Milepost T-322.40 at Roanoke Junction, and Milepost T-339.66 at Lafayette, which traverses through United States Postal Service Zip Codes 36801, 36802, 36803, 36804, and 36862 in Lee and Chambers Counties, Alabama (see attached map). No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,


G. Richard Abernathy

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Exemption was served upon Mr. Chris Longcrier, Railway Track Supervisor Railway Safety Section, Alabama Public Service Commission; the United States Department of Defense (MTMCTEA); National Park Service, Recreation Resources Assistance Division; National Park Service, Land Resources Division; and U. S. Department of Agriculture, Chief of the Forest Service; on September 15, 2003, by first class mail, postage prepaid.



G. Richard Abernathy

ATTACHMENT #1

CONSULTATIONS

ROANOKE JUNCTION TO LAFAYETTE ABANDONMENT

Comments:

Geodetic Survey, Ronnie Taylor e-mailed that there is no advisor for Alabama. Send correspondence to his attention in Silver Springs, MD.

Department of the Army, Corps of Engineers, David Brasfield Assistant District Counsel requests additional maps, and stream crossing modification information and any potential contamination from creosote.

Alabama Historical Commission, Ms. Elizabeth Brown, request for information on Quadrangle maps submitted.

Alabama Department of Environmental Management, Kissie Johnson, abandonment has negative air quality impact.

USDA-NRCS, Milton Tuck, abandonment has no effect on existing land use (prime farmland, wetland).

CSXT, Marietta Serve, termination of interchange agreement upon STB approval of abandonment.

No comments:

Alabama Clearing House Association
1220 Financial Center
505 N. 20th St.
Birmingham, AL 35203

Alabama Environmental Protection Agency
P.O. Box 301463
Montgomery, AL 36130-1463

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

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

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

USDA
NRCS
Soil Survey Division
14th and Independence Ave., SW., Room 4250-S
Washington, DC 20250.

Burton Smith, Geodetic Technician
National Geodetic Survey
1315 East West Highway
Silver Spring, Maryland 20910

Richard Cohen, State Advisor
Geodetic Survey
325 Broadway
Boulder, Colorado 80303

Alabama Department of Transportation
Fourth Division
Highway 280
P.O. Box 1179
Alexander City, AL 35011

Alabama Department of Transportation
Sixth Division
1525 Coliseum Blvd.
P.O. Box 8008
Montgomery, AL 36110

Alabama Department of Conservation and Natural Resources
Alabama Fish and Wildlife Service
64 N. Union Street
Montgomery, AL 36130

Dr. Lee H. Warner
State Historic Preservation Officer
The Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

US Fish & Wildlife
Washington Office
1849 C Street NW
Washington, DC 20240

Chairman
Lee County Courthouse
Opelika, AL 36803

Chairman
Chamber County Courthouse
LaFayette, AL 36862

Andrew C. Rambo

From: "Taylor, Ronnie L." <Ronnie.L.Taylor@dep.state.fl.us>
To: "Andrew C. Rambo" <rambo_a@bellsouth.net>
Sent: Tuesday, September 30, 2003 11:10 AM
Subject: RE:

Mr. Rambo,

There is no Advisor for the State of Alabama. I am the Advisor for Florida and will assist you. I am in Silver Spring, MD until 10/11 you may email me or call be at (850)294-3092 or call my Assistant Randy Wegner at (850)245-2606.

Thank you,

Ronnie L. Taylor

-----Original Message-----

From: Andrew C. Rambo [mailto:rambo_a@bellsouth.net]
Sent: Tue 9/30/2003 9:18 AM
To: Ronnie.Taylor@noaa.gov
Cc:
Subject:

I tried to send some mail to Richard Cohen, State Advisor, Geodetic Survey, 325 Broadway, Boulder, Colorado 80303. It was returned to me.

Who is the advisor for Alabama and their address?

Andrew C. Rambo

Outgoing mail is certified Virus Free.
Checked by AVG anti-virus system (<http://www.grisoft.com>).
Version: 6.0.520 / Virus Database: 318 - Release Date: 9/18/2003

*resent
9/30/03*

9/30/2003



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

October 7, 2003

REPLY TO
ATTENTION OF:

Office of Counsel
251.690.2493

Section of Environmental Analysis (SEA)
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Dear Sir or Madam:

This letter is being sent in regard to STB Docket No. AB 601 sub 1X, a proposal of Pine Belt Southern Railroad, Inc. to abandon of 17.4 miles of rail line located between milepost T-322.40 and milepost T-339.66 from Roanoke Junction to Lafayette, Alabama. The Corps of Engineers, Mobile District, reviewed the Environmental Report and Historic Report describing the proposed action. The comments below are offered in respect to the document.

Additional maps that showed adjacent landforms and water bodies, as well as, watershed boundaries should be included to show whether flow issues exist. Also, a description of the structures in place at stream crossings, such as bridges or culverts, and any proposed modification to those structures needs to be included to determine whether additional permits are needed. Finally, the document needs to address any potential contamination on the railroad grade resulting from the use of railroad ties treated with creosote.

Please let me know if you have any questions regarding these comments.

Sincerely,

David C. Brasfield, Jr.
Assistant District Counsel

Copy Furnished:
G. Richard Abernathy ✓
President
Pine Belt Southern Railroad
P.O. Box 1317
Shelbyville, TN 37162

10/20/03
X C Brasfield

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

October 13, 2003

DAVID C. BRASFIELD, JR.
ASSISTANT DISTRICT COUNSEL
DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORP OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

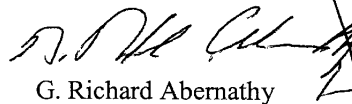
ATTN: OFFICE OF COUNSEL
251.690.2493

Re: STB Docket No. AB 601 sub 1X
Pine Belt Southern Railroad

Enclosed herewith please find topographical maps pursuant to your request. Should it be insufficient, please advise.

In the removal of the rail there will be no modification of any structures in stream crossings. The trackage in question has been in place for many years and there is no known contamination of the railroad grade resulting from the use of ties treated with creosote.

Sincerely,


G. Richard Abernathy

10/20 mailed
w/ topog map
copy to
B. J. H. 10/20

October 23, 2003

G. Richard Abernathy
Pine Belt Southern Railroad
P.O. Box 1317
Shelbyville, Tennessee 37162

Re: AHC 2003-1309
Rail Line Abandonment, Roanoke Junction to Lafayette
Chambers and Lee Counties

LEE H. WARNER
Executive Director

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242-3184
fax 334 240-3477

Dear Mr. Abernathy:

In order to complete our review of the above referenced project, the Alabama Historical Commission needs further information. Please provide the names of the quadrangle maps from which the copies included in your submission were taken.

We appreciate your efforts on this issue. If you have questions or comments or if we may be of additional service, please contact Stacye Hathorn of our office and include the AHC project number referenced above.

Very truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/SGH/sgb

November 5, 2003

MS. ELIZABETH ANN BROWN
DEPUTY STATE HISTORIC PRESERVATION OFFICER
ALABAMA HISTORIC COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, AL 36130-0900

Re: AHC 2003-1309
Rail Line Abandonment, Roanoke Junction to Lafayette
Chambers and Lee Counties

Dear Ms. Brown:

In response to your correspondence of October 23, 2003, the group which provided me with the maps previously submitted is as follows:

Green Appraisal Company
P.O. Box 241
Troy, AL 36081

Alabama Certified General Appraisers #00005

Owner: B.M. Green

If you need further information, please contact my office.

Sincerely,

Andrew C. Rambo

ADEM



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POST OFFICE BOX 301463 36130-1463 ♦ 1400 COLISEUM BLVD. 36110-2059

MONTGOMERY, ALABAMA

WWW.ADEM.STATE.AL.US

(334) 271-7700

JAMES W. WARR

DIRECTOR

BOB RILEY

GOVERNOR

October 3, 2003

Ms. Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, NW
Washington, DC 20423

Facsimiles: (334)
Administration: 271-7950
General Counsel: 394-4332
Air: 279-3044
Land: 279-3050
Water: 279-3051
Groundwater: 270-5631
Field Operations: 272-8131
Laboratory: 277-6718
Mining: 394-4326
Education/Outreach: 394-4383

RE: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of
rail line located between Roanoke Junction and Lafayette, Alabama
STB Docket No. AB 601 Sub 1X

Dear Ms. Ghosh:

I am writing in response to a letter we received from Mr. G. Richard Abernathy, President, Pine Belt Southern Railroad Company, Inc. dated September 15, 2003, regarding the proposed abandonment of 17.4 miles of rail line located between railroad milepost T-322.40 at Roanoke Junction and railroad milepost T-339.66 at Lafayette, Alabama. In this letter, Mr. Abernathy asked that our department provide your agency with any comments that we may have concerning air quality impacts that may occur as a result of this project.

Since this project's purpose is to abandon an existing rail line, there would be the potential for a decrease in air emissions. Therefore, we would not expect this project to have any negative air quality impact for the project area. Should the scope or design of the project change, we should be contacted for further review.

If you have any questions, please contact me at (334) 270-5693 or email me at kjohnson@adem.state.al.us.

Sincerely,

A handwritten signature in cursive script that reads "Kissie Johnson".

Kissie Johnson
Program Development Unit
Control Strategies Section
Planning Branch
Air Division

KMJ/kj

cc: Mr. G. Richard Abernathy, President
Pine Belt Southern Railroad

Birmingham Branch
110 Vulcan Road
Birmingham, Alabama 35209-4702
(205) 942-6168
(205) 941-1603 [Fax]

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, Alabama 35603-1333
(256) 353-1713
(256) 340-9359 [Fax]

Mobile Branch
2204 Perimeter Road
Mobile, Alabama 36615-1131
(251) 450-3400
(251) 479-2593 [Fax]

Mobile - Coastal
4171 Commanders Drive
Mobile, Alabama 36615-1421
(251) 432-6533
(251) 432-6598 [Fax]



Printed on Recycled Paper

USDA - NRCS
TALLAPOOSA COUNTY SOIL SURVEY OFFICE
1995 Cherokee Road
Alexander City, AL 35010

Rural Economic and
Community Development

/ PINE BELT SOUTHERN RAILROAD COMPANY
INC. PROPOSED ABANDONMENT OF 17.4 MILES

RE: Identification of Important Farmland and Delineation of Executive Order Wetlands:

Project Lines — 17.4 MILES ABANDONMENT

Prime Farmland

Wetland

Other Farmland of Local Importance

The Prime Farmland has been identified along the project area in the color of **Green**

The Wetland has been identified along the project area in the color of **Blue**

Other Farmland of Local Importance has been identified in the color of **Red**

The completion of this report as directed by Farmland Policy Protection Act Guidelines also meets requirements directed by Departmental Regulation 9500-3 Land Use Policy Guidelines.

Milton Tuck 10/29/03
Milton Tuck
Resource Soil Scientist

COMMENTS:

THE ABANDONMENT OF, RAIL ROAD FROM ROANOKE TO LAFAYETTE ALABAMA, OF THE PINE BELT SOUTHERN RAILROAD COMPANY, INC..
THE ABANDONMENT SHOULD NOT HAVE ANY EFFECT ON THE EXISTING LAND USE (PRIME FARMLAND, WETLAND, 100-YEAR FLOOD PLAINS).



Marietta B. Serwe
General Manager-
Inter-carrier Agreements

500 Water Street, J801
Jacksonville, FL 32202
(904) 359-3565
FAX 359-7665

October 13, 2003

File: PBRR 200
PBRR 201

Mr. G. Richard Abernathy
President
Pine Belt Southern Railroad
Company, Inc.
Post Office Box 1317
Shelbyville, TN 37160

Mr. Mark M. Owens
Director-Joint Facilities
Norfolk Southern Corporation
185 Spring Street, SW, Box 158
Atlanta, GA 30303

RE: Termination of Agreements among PBRR, CGA and CSXT

Gentlemen:

It is my understanding that the Pine Belt Southern Railroad (PBRR) will be abandoning its rail line between Roanoke Jct. and Lafayette, AL.

Inasmuch as PBRR will no longer interchange with CSX Transportation (CSXT), parent of The Western Railway of Alabama (WRA), or Central of Georgia Railroad Company (CGA), at Opelika, please consider this as 30-days notice of termination in accordance with Article 22 of the January 5, 1996 Interchange Agreement among PBRR, WRA, and CGA, effective simultaneously with the Surface Transportation Board's approval or exemption of PBRR's aforementioned abandonment.

Inasmuch as PBRR will no longer operate over CSXT trackage rights between Roanoke Jct. and Opelika, CSXT and PBRR are agreeable to waiving the one-year notice for termination in Section 6B of the January 5, 1996 Trackage Rights Agreement between PBRR and WRA and will consider same terminated effective simultaneously with the Surface Transportation Board's approval or exemption of PBRR's application for discontinuance of trackage rights. Mr. Abernathy will notify this office when the STB has approved or exempted the aforementioned abandonment and discontinuance.

Please indicate your acceptance of this Letter Agreement by signing in the space provided below, and return one original counterpart to my office, retaining one original counterpart for your records.

On behalf of CSX Transportation, Inc.

Marietta Serwe
General Manager-Inter-carrier Agreements

ATTACHMENT 2

NOTICES

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Clearing House Association
1220 Financial Center
505 N 20th Street
Birmingham, AL 35203

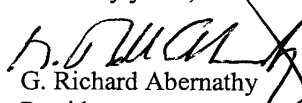
Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 17.4 miles of rail line located between milepost T-322.40 and milepost T-339.66 from Roanoke Junction to Lafayette, Alabama
STB Docket No. AB 601 sub 1X

On December 1, 2003, we expect to be filing with the Surface Transportation Board a notice of exemption seeking authority to abandon 17.4 miles of rail line located between railroad milepost T-322.40 at Roanoke Junction and railroad milepost T-339.66 at Lafayette, Alabama. Attached is an Environmental Report and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, telephone (202) 565-1538 and refer to the above Docket No. AB 601 sub 1X. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA with a copy to our representative would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact Dick Abernathy by telephone at (931) 684-7376 or at the address shown on the letterhead.

Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Environmental Protection Agency
P.O. Box 301463
Montgomery, AL 36130-1463

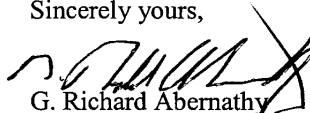
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Environmental Protection Agency
Attn: Air Division
P.O. Box 301463
Montgomery, AL 36130-1463

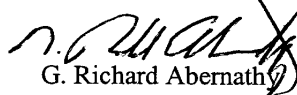
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

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

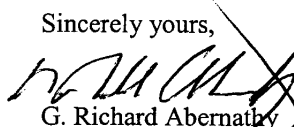
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Sincerely yours,



G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

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

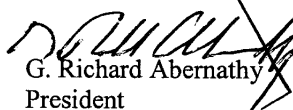
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Sincerely yours,


G. Richard Abernathy
President

Letters\abandonment2_1.pinebelt

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

National Park Service
Recreation Resources Assistance Division
P.O. Box 37127
Washington, DC 20013-7127

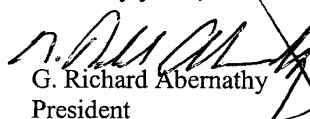
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

National Park Service
Land Resources Division-MS800
800 N. Capitol Street, NW
Washington, DC 20001

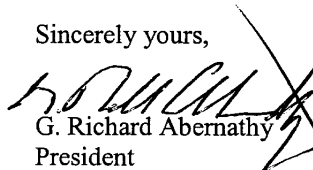
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

USDA
NRCS
Soil Survey Division
14th and Independence Ave., SW., Room 4250-S
Washington, DC 20250.

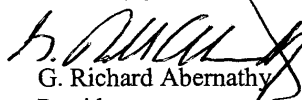
Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 17.4 miles of rail line located between milepost T-322.40 and milepost T-339.66 from Roanoke Junction to Lafayette, Alabama
STB Docket No. AB 601 sub 1X

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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Burton Smith, Geodetic Technician
National Geodetic Survey
1315 East West Highway
Silver Spring, Maryland 20910

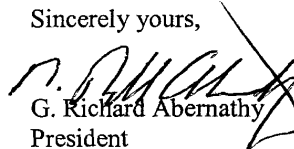
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Richard Cohen, State Advisor
Geodetic Survey
325 Broadway
Boulder, Colorado 80303

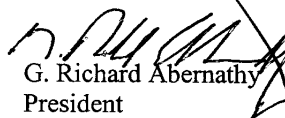
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Sincerely yours,


G. Richard Abernathy
President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Department of Transportation
Fourth Division
Highway 280
P.O. Box 1179
Alexander City, AL 35011

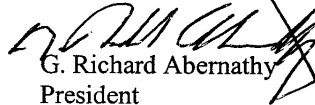
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President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Department of Transportation
Sixth Division
1525 Coliseum Blvd.
P.O. Box 8008
Montgomery, AL 36110

Re: Pine Belt Southern Railroad Company, Inc. Proposed Abandonment of 17.4 miles of rail line located between milepost T-322.40 and milepost T-339.66 from Roanoke Junction to Lafayette, Alabama
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G. Richard Abernathy
President

Letters\abandonment2_1.pinebelt

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Alabama Department of Conservation and Natural Resources
Alabama Fish and Wildlife Service
64 N. Union Street
Montgomery, AL 36130

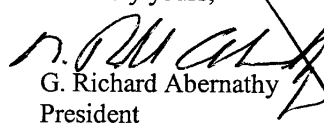
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President

P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Dr. Lee H. Warner
State Historic Preservation Officer
The Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

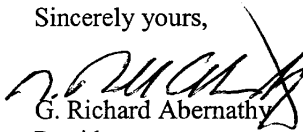
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P.O. Box 1317
Shelbyville, Tenn. 37162

PINE BELT SOUTHERN
RAILROAD

September 15, 2003

U.S. Fish and Wildlife Service
Washington Office
1849 C Street NW
Washington, DC 20240

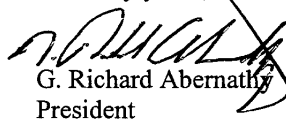
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PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Chairman
Lee County Courthouse
Opelika, AL 36803

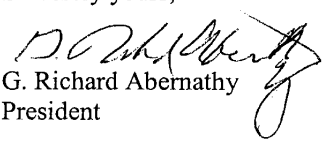
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PINE BELT SOUTHERN
RAILROAD

September 15, 2003

Chairman
Chambers County Courthouse
LaFayette, AL 36862

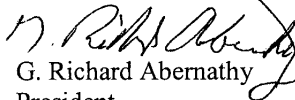
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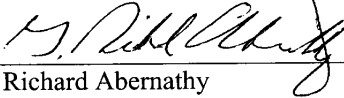
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G. Richard Abernathy
President

CERTIFICATION

I hereby certify (1), pursuant to § 1105.11, that Environmental and Historic Reports were submitted to the agencies identified in § 1105. 7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 2); (2), pursuant to § 1105.12, that a notice of intent to abandon rail service was published in Opelika Auburn News on the 17th day of September 2003, and the Lafayette Sun on the 17th day of September, 2003 (see Exhibit 3); and (3) that the notice required by § 1152.50(d)(1) was given (see Exhibit 4).



G. Richard Abernathy

Dated: 11-26-03

EXHIBIT 2

ENVIRONMENTAL AND
HISTORIC REPORTS