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KARL MORELL

kmorell@bjllp.com

December 14, 2006

Victoria Rutson
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W. - Room 504
Washington, DC 20423



Re: STB Docket No. AB-1000X, Georgia Southwestern Railroad, Inc. --
Abandonment Exemption -- In Barbour County, Alabama

Dear Ms. Rutson:

On November 28, 2006, we submitted to your office copies of the Environmental and Historic Reports in the above-captioned matter. Attached please find ten (10) copies of the additional responses we received from the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, the Alabama Department of Environmental Management and the Natural Resources Conservation Service.

Sincerely,

Karl Morell

Enclosures

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2007-TA-0145

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OPTIONAL FORM 98 (7-90)

12-8-2006

November 13, 2006

FAX TRANSMITTAL

of pages 1

U.S. Fish and Wildlife Service
Richard B. Russell Building, Room 1200
1875 Century Boulevard
Atlanta, GA 30345

To	Karl Morell	From	Spin
Dept./Agency	Ball Janik	Phone #	251-441-5184
Fax #	202-783-6947	Fax #	251-441-6222

**RE: Docket No. AB-1000, Georgia Southwestern Railroad, Inc. –
Abandonment Exemption – Barbour County, AL**

Dear Sir/Madam:

Georgia Southwestern Railroad, Inc. ("GSR") is planning to file a Petition for Exemption with the Surface Transportation Board ("STB"), on or about December 18, 2006, for GSR to abandon the 4.54-mile rail line located between milepost H-334.46, at Eufaula, and milepost 339.00, near Eufaula, in Barbour County, Alabama. A map of the proposed abandonment is attached.

Pursuant to the STB's environmental regulations at 49 C.F.R., Part 1105, we are advising you of this proposed action so that you may assist us in determining whether it is likely to adversely affect endangered or threatened species or areas designated as a critical habitat.

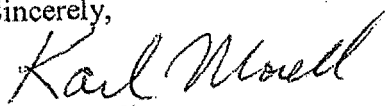
We would appreciate your review of the proposed abandonment and any comments you may wish to offer. We would also appreciate you providing us with a written response so that we can forward it to the STB.

BALL JANIK LLP

November 13, 2006
Page 2

Thank you in advance for your prompt assistance. If you have any questions concerning this matter, please contact me.

Sincerely,

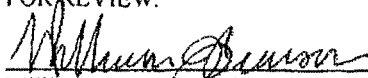


Karl Morell
Attorney for:
Georgia Southwestern Railroad, Inc.



U.S. Fish and Wildlife Service
1208-B Main Street - Daphne, Alabama 36526
Phone: 251-441-5181 Fax: 251-441-6222

No endangered or threatened species or critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW.


William J. Pearson, Field Supervisor

12/8/06
Date

#2

*Bham/Montg-***BALL JANIK LLP**

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KARL MORELL

kmorell@dc.bjllp.com

November 28, 2006

U.S. Army Engineer District, Mobile
P.O. Box 2288
Mobile, AL 36628-0001**RE: STB Docket No. AB-1000X, Georgia Southwestern Railroad, Inc. -
Abandonment Exemption - In Barbour County, Alabama**

Dear Sir/Madam:

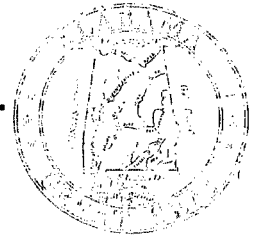
On or shortly after December 18, 2006, Georgia Southwestern Railroad, Inc. ("GSRW") will be filing with the Surface Transportation Board ("STB") a Petition for Exemption seeking authority to abandon the 4.54-mile rail line located between milepost H-334.46, at Eufaula, and milepost H-339.00, near Eufaula, in Barbour County, Alabama (the "Line"). Attached are 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 these reports so that you may review the information that will form the basis for the STB's independent environmental and historic analyses 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 STB's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001, Telephone (202) 565-1545, and refer to the above Docket No. AB-1000X. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to the undersigned) would be appreciated within 3 weeks.

U.S. Army Corps of EngineersA Department of the Army permit will not be
required for your project as proposed.*Carol Ann Pearson*
PROJECT MANAGER
REGULATORY DIVISION12/13/06
DATE

DEC 17 2006 6:00 AM

ADEM



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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MONTGOMERY, ALABAMA

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Water: 279-3051
Groundwater: 270-5631
Field Operations: 272-8131
Laboratory: 277-6718
Mining: 394-4326

December 5, 2006

Karl Morell
Ball Janik LLP
1455 F Street NW Suite 225
Washington, D.C. 20005

Re: Docket No. AB-1000, Georgia Southwestern Railroad, Inc.-Abandonment Exemption-
Barbour County, AL

Dear Mr. Morell:

After review of your proposed action to abandon a section of rail line at Eufaula in Barbour County, Alabama a National Pollutant Discharge Elimination System (NPDES) permit will be required. I have enclosed information concerning the NPDES coverage. The location of the ADEM webpage, the telephone number and e-mail address for the Montgomery Central Office Construction Unit is included.

Sincerely,

Laura Ming
Laura Ming

Enclosure

LEM/nf





April 1, 2004

CONSTRUCTION AND SMALL NONCOAL MINING SITES STORMWATER REGISTRATION PROGRAM

Pursuant to EPA rules and ADEM Administrative Code Chapter 335-6-12, **the operator/owner or other responsible party(s) is required to register for and maintain valid National Pollutant Discharge Elimination System (NPDES) coverage** for treated stormwater discharges prior to beginning construction or regulated land disturbance that will equal or exceed one (1) acre in size. The regulations also require NPDES registration prior to conducting disturbance activities less than one (1) acre that are part of, adjacent to, or associated with a larger common plan of development or sale, that may eventually equal or exceed one (1) acre, or if less than one (1) acre in size if stormwater discharges have reasonable potential to be a significant contributor of pollutants to a water of the State or have reasonable potential to cause or contribute to a violation of applicable Alabama water quality standards as determined by the Department. The regulations also require NPDES registration prior to conducting any noncoal, nonmetallic mining/remining and mineral dry processing activity less than five (5) acres in size. The regulated construction or mining disturbance also includes, but is not limited to, associated areas utilized for support activities such as vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads, and pre-construction activities performed in advance or in support of construction or mining such as logging, clearing, and dewatering. A registrant, operator/owner, developer, contractor, or other responsible entity, separately or collectively, must retain NPDES registration coverage for phased developments until all disturbance activity, including phased construction, or mining is complete.

The ADEM WebPage at www.adem.state.al.us/FieldOps/Permitting/Construction/Construction.htm contains a number of helpful documents and other information that can be viewed or downloaded at your convenience such as the construction stormwater program rules, Notice Of Registration (NOR) form 498, reporting forms 499, 500, & 501, a list of construction related Tier I Waterbodies, registration fee schedule, the *Alabama Handbook* BMP document, example site identification sign, qualified credentialed inspection program (QCIP) description, etc.

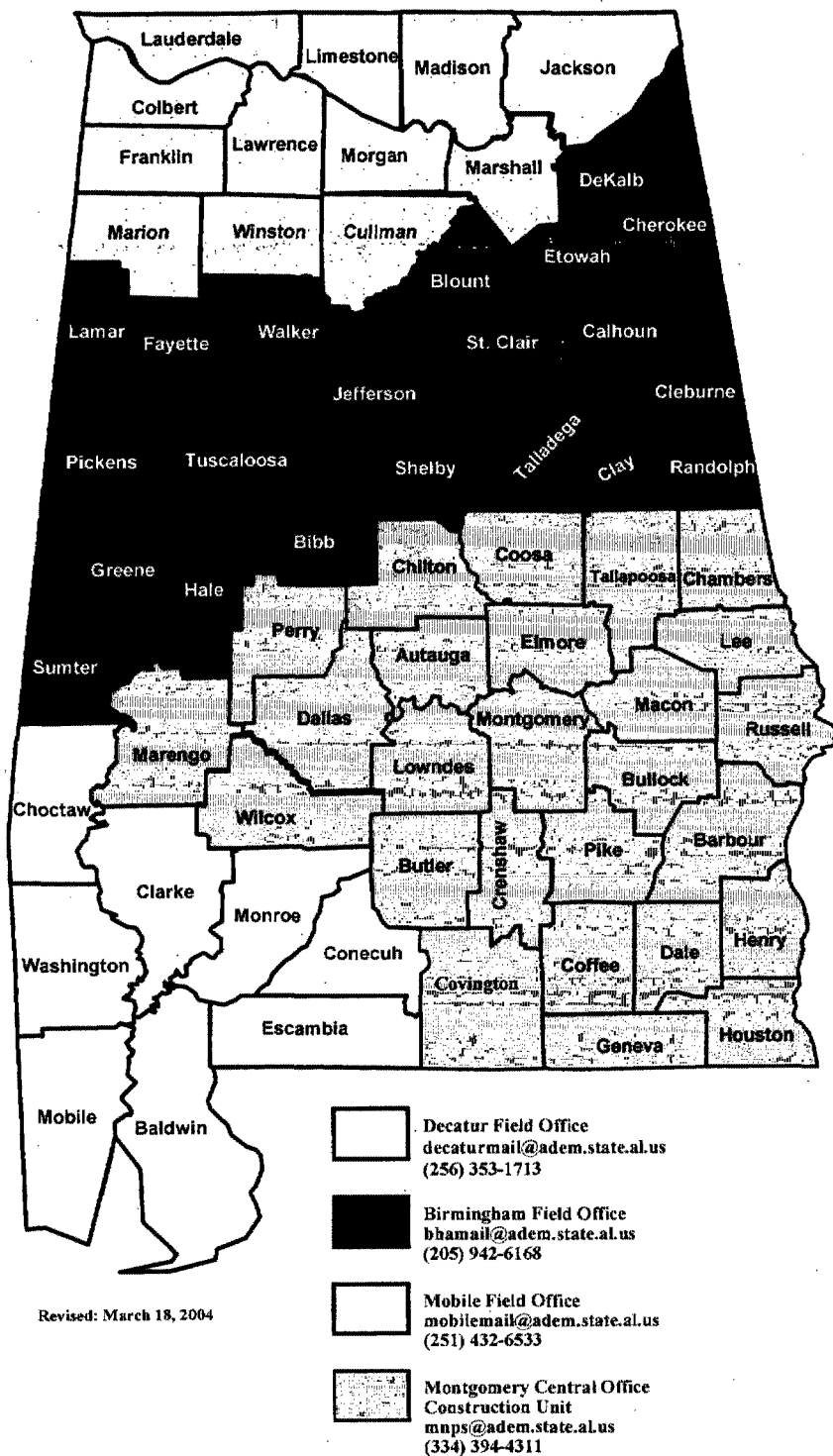
In order to determine whether your project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the US Army Corps of Engineers, Nashville District by mail at PO Box 1070, Nashville, TN 37202-1070 or by phone at (615) 736-5181 for all sites within the Tennessee River watershed or the Mobile District by mail at PO Box 2288, Mobile, AL 36628-0001 or by phone at (251) 690-2658 for all other sites within the state. Facilities covered under a US Army Corps of Engineers Permit must register for stormwater coverage from ADEM if there is construction or land disturbance above the Ordinary High Water Mark, or if there is any non-dredge/fill operations below the Ordinary High Water Mark and associated upland dredge disposal sites will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

Other agencies you may wish to contact are: (1) the US Fish & Wildlife Service and the Alabama Department of Conservation & Natural Resources regarding potential impacts to endangered or threatened species, (2) the Office Of Water Resources, Alabama Department of Economic and Community Affairs, regarding potential water quantity concerns or issues, (3) the State Fire Marshall and the Alabama Department of Industrial Relations regarding potential safety considerations regarding blasting, (4) the Alabama Department of Industrial Relations which requires permit coverage and reclamation bonding for most non-coal mining sites, (5) the Alabama Historical Commission regarding preservation or potential impacts to surrounding or onsite historical or archaeological sites, and (6) your local municipal or county government, or local zoning and planning agency, if applicable, for additional approvals that may apply to your project.

In recognition that projects are site specific in nature and conditions can change during project implementation, the Department reserves the right to require the submission of additional information or require additional management measures to be implemented, as necessary on a case by case basis, in order to ensure the protection of water quality.

If you have any questions or need additional information, please contact the ADEM office in your area.

ADEM FOD Construction Stormwater Service Areas



United States Department of Agriculture



Natural Resources Conservation Service
18 Nern Street
Clayton, Alabama 36016
(334) 775-3266, Ext. 3

December 7, 2006

Karl Morell
1455 F Street, Suite 225
Washington, D. C. 20005

**Re: Docket No. AB-1000, Georgia Southwestern Railroad, Inc. – Abandonment
Exemption – Barbour County, Alabama**

Dear Mr. Morell:

As per your request, we have completed a review to identify any potential effects the abandonment of a 4.54 mile rail line in Barbour County, Alabama, may have on prime agricultural land.

I am attaching a soils map of the area in question and a list of prime farmland soils (Table 5) identified in Barbour County. I have identified on the map (marked in blue) the area where the existing rail line extends approximately 1.2 miles across an area of Lynchburg loamy fine sand soils (LyA). This soil is typically located along stream terraces, is somewhat poorly drained and may have a seasonal high water table.

In an agricultural setting, this soil would be considered prime farmland; however, in urban or built-up areas, this would not be true. The rail line is considered urban or built-up; therefore, the latter applies. The probability of this land to ever be used as farmland is very low because there is no other significant amount of farmland in this area.

If you have further questions, contact me at the above address.

Sincerely,

A handwritten signature in black ink that reads "Ed Holley".

Ed Holley
District Conservationist

Attachments (2)

Helping People Help the Land

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Table 5.--Prime Farmland

[Only the soils considered prime farmland are listed. Urban or built-up areas of the soils listed are not considered prime farmland.]

Map symbol	Soil name
CeB	Conecuh sandy loam, 2 to 5 percent slopes
DoA	Dothan fine sandy loam, 0 to 2 percent slopes
DoB	Dothan fine sandy loam, 2 to 5 percent slopes
GoA	Goldsboro loamy fine sand, 0 to 2 percent slopes
GrB2	Greenville sandy clay loam, 2 to 5 percent slopes, eroded
GrA	Greenville loamy fine sand, 0 to 2 percent slopes
NaB2	Nankin sandy clay loam, 2 to 5 percent slopes, eroded
OnB2	Oktibbeha-Hannon complex, 1 to 3 slopes, eroded
OrA	Orangeburg loamy sand, 0 to 2 percent slopes
OrB	Orangeburg loamy sand, 2 to 5 percent slopes
SgC	Springhill loamy sand 5 to 8 percent slopes

