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SEA

SERVICE DATE – SEPTEMBER 23, 2005

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-43 (Sub-No. 176X)

Illinois Central Railroad Company – Abandonment Exemption – in Rankin County, MS

BACKGROUND

In this proceeding, the Illinois Central Railroad Company (IC) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a line of railroad in Flowood, Rankin County, Mississippi (MS). The “Flowood Line” extends approximately 1.52 miles from milepost 70.20 at its eastern end to milepost 71.72 at the western terminus. The line travels through urbanized commercial areas of Flowood, a suburb of Jackson. Light industries surround the line, but none utilize rail service. There are no buildings or structures located within the abandonment area, and no overhead traffic on the Flowood Line. IC certifies that there are no customers on the line and no revenue cars have used the line for at least two years. The average right-of-way (ROW) width is 100 feet and the topography is generally flat. If the abandonment becomes effective, the railroad will salvage rail and track materials, leave the ties and ballast in place, and remove two at-grade crossings. IC indicates that the line would be suitable for use as a trail or levee and that the local levee district may wish to acquire the line. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA).

DESCRIPTION OF THE LINE

The Flowood Line is part of the old Pearl River Georgia Line of the Gulf, Mobile & Ohio that originally traveled a distance of approximately 90 miles from Jackson eastward to Meridian. The line was partially constructed by the New Orleans Great Northern in the early twentieth century, but was later sold to the Gulf, Mobile & Northern, who completed construction around 1925. In 1971, Gulf, Mobile & Northern merged with IC. The Flowood Line is virtually all that remains of the original Pearl River Georgia Line. In order to access the line, IC must use trackage rights to operate over line owned by the Kansas City Southern Railway Company. A north-south line known as the East Jackson spur connects just inside the abandonment limit at milepost 70.20. The spur serves one customer on the line immediately east of the abandonment limit. If the abandonment becomes effective, IC will need to relocate the connection outside or east of the abandonment limit of milepost 70.20. After the connection is made, trains will be able to continue serving customers on the line, just east of the abandonment limit.

ENVIRONMENTAL REVIEW

IC submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. IC served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (the Board) environmental rules [49 CFR 1105.7(b)]. The Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

As stated above, no traffic has moved on the line segment within the last two years. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

IC believes the proposed abandonment will be consistent with existing land use plans. No alternatives to the abandonment have been considered, other than a possible conversion to trail use or levee use. IC contacted the City of Flowood and Rankin County, but no responses have been provided to date.

It is anticipated that this proposed abandonment would not have an adverse impact on public health and safety because there will be no diversion of rail traffic to other modes. Short-term impacts on noise levels associated with salvaging activities would not be significant. IC is not aware of any hazardous waste sites or hazardous materials spills along the Line.

The Natural Resources Conservation service has indicated that the proposed abandonment will have no adverse impact on farmland.

IC contacted the Mississippi Coastal Program, Mississippi Department of Marine Resources, but has not received a response. The Flowood Line does not lie within a designated coastal zone area, and IC believes the proposed abandonment will not affect any land or water uses or result in any coastal impacts.

The U.S. Fish and Wildlife Service has determined that the proposed abandonment is not likely to have an adverse impact on any federally-listed species, or adversely modify any areas designated as critical habitats.

IC contacted the Mississippi Department of Wildlife, Fisheries, and Parks, and the Mississippi Natural Heritage Program, but has not received a response. However, impacts to such resources are not anticipated because the land use is urban and the Flowood Line does not pass through or is not adjacent to any wildlife sanctuaries or refuges, or National or state parks or forests.

The U.S. Army Corps of Engineers commented that permits, in accordance with Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, will not be required because the roadbed will be left intact, soil will not be disturbed, and salvaged material will not be placed in any waterways, wetlands, or 100-year floodplain.

IC contacted the U.S. Environmental Protection Agency and the Mississippi Department of Environmental Quality regarding impacts to water quality in accordance with Section 402 of the Clean Water Act, and to determine if the proposed abandonment is consistent with applicable Federal, State, or local water quality standards. To date, neither agency has provided a response. To ensure that the proposed actions do not adversely impact any surrounding waterways, prior to the onset of salvage activities, SEA is recommending a condition requiring IC to consult with the agencies and report the results in writing to SEA.

IC contacted the National Geodetic Survey regarding impacts to geodetic markers, but to date, has not received a response. SEA has included the National Geodetic Survey on the service list for this proceeding and will incorporate any comments that the Survey may have on the EA.

HISTORIC REVIEW

IC submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Mississippi Department of Archives and History, Historic Preservation office (SHPO), pursuant to 49 CFR 1105.8(c). IC indicates that there are no structures, archaeological resources, or any other previously unknown historic properties on the line. Based on IC's historic report, and in concurrence with the SHPO, SEA does not believe there are any historic properties involved in the proposed abandonment that meet the criteria for listing on the National Register of Historic Places (National Register). However, as requested by the SHPO, SEA will be contacting the Mississippi Band of Choctaw Indians, a Federally recognized tribe that may have interest in the project. SEA is required to consult with tribes pursuant to 36 CFR 800.3(f)(2) to seek their input regarding any National Register eligible properties of traditional religious and cultural significance that may be affected by the proposed abandonment. SEA has added the tribe to the service list for this proceeding to ensure that it receives a copy of this EA for comment.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will have no effect on historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of IC's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public. However, we will recommend a condition that in the event that IC does discover unanticipated archaeological sites, human remains, funerary items or associated artifacts during their salvage operations, that they shall immediately cease work and notify SEA,

the SHPO, and any Federally recognized tribe that may have an interest, and consult with them to determine whether any mitigation measures are necessary.

CONDITIONS

We recommend that the following conditions be placed on any decision granting abandonment authority:

1. Prior to commencement of any salvage activities, Illinois Central Railroad Company shall consult with the United States Environmental Protection Agency and the Mississippi Department of Environmental Quality to ensure that any concerns regarding potential contamination of the right-of-way and the need for a Section 402 stormwater construction permit are addressed. The railroad shall report the results of these consultations in writing to the Board's Section of Environmental Analysis prior to the onset of salvage operations.
2. In the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during Illinois Central Railroad Company's salvage activities, the railroad shall immediately cease all work and notify the Section of Environmental Analysis, interested Federally recognized tribes, and the State Historic Preservation Office. The Section of Environmental Analysis shall then consult with the State Historic Preservation Office, interested Federally recognized tribes, and Illinois Central Railroad Company to determine whether any mitigation measures are necessary.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), and discontinuance of service without abandonment. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Diana Wood, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-43 (Sub-No. 176X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this environmental assessment, please contact Diana Wood, the environmental contact for this case, by phone at (202) 565-1552, fax at (202) 565-9000, or e-mail at woodd@stb.dot.gov

Date made available to the public: **September 23, 2005.**

Comment due date: **October 11, 2005.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment