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SEA

SERVICE DATE – JUNE 27, 2006

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-55 (Sub-No. 664X)

**CSX Transportation, Inc. – Abandonment Exemption –
In Anderson County, SC**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a petition for exemption under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 to abandon an approximately 12.74-mile line of railroad in Anderson County, South Carolina. The rail line extends between milepost AKL 26.26, near Belton, and milepost AKL 39.00, near Pelzer. A map depicting the rail line in relationship to the area served is appended to the Environmental Assessment (EA). If the petition is granted, the railroad would be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

ENVIRONMENTAL REVIEW

CSXT 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. CSXT served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)].¹ The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to CSXT, various commodities have been handled on the line, including plastic, limestone, and steel. In its petition, CSXT states that a total of 974

¹ The railroad's environmental and historic reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB-55 (Sub-No. 664X).

carloads were moved on the line during the base year (calendar year 2004).² Using a rail-to-truck conversion factor of 4 trucks per railcar,³ SEA calculates that on a per day basis, if all the rail traffic is diverted to truck traffic, the abandonment would generate an estimated 3896 new trucks per year (7792 truck trips assuming an empty backhaul). This equates to approximately 32.47 trucks per day being added to area roads during a 240 workday year.⁴ This increase in truck traffic will not exceed the Board's thresholds of an increase of more than ten percent of the average daily traffic (ADT) or 50 vehicles a day on any affected road segment. See 49 CFR 1105.7(e).

Anderson County is designated nonattainment for the U.S. Environmental Protection Agency's (USEPA) health-based standards for ozone pollution.⁵ If all base year rail traffic was diverted to another rail line, SEA calculates that on a per day basis the abandonment would result in an increase of approximately 4.06 railcars per workday on any segment of rail line. This increase in rail traffic on another line would not exceed the Board's thresholds of an increase of more than three trains a day. In addition, the increase in rail traffic would not result in an increase in rail yard activity of at least 20% (measured by carload activity). See 49 1105.7(e)(5)(ii). Accordingly, SEA believes that any impacts to air quality resulting from the proposed abandonment would be de minimus. However, SEA will accept comments regarding air quality on or before the comment due date.⁶

Pursuant to 49 CFR 1105.7(e)(4)(ii), CSXT reports that four carloads of plastic, a potentially recyclable commodity, were shipped over the line during the base year, and 16 carloads of plastic were shipped over the line in 2005. According to CSXT, alternative transportation is available for all shipments.

Salvage Activities

CSXT states that the line traverses several small streams and communities in Anderson County but it is not located within South Carolina's Coastal Zone Management jurisdiction. The right-of-way is generally 50 feet from the centerline of track, and there is one bridge on the line that is 50 years old or older. The proposed abandonment would also allow for the elimination of 39 public grade crossings.

² SEA used 2004 as the base year because one switch track on the line was closed for six months during 2005.

³ The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

⁴ 240 workdays result when weekends and holidays are subtracted from a 365 day year.

⁵ See USEPA's web site at <http://www.epa.gov/interstateairquality/sc.html>.

⁶ For instructions on how to file comments regarding this EA, see the "Comments" section below.

As part of the proposed salvage activities, CSXT states that it intends to salvage rail, ties, and track material from the line. Salvage would be performed within the right-of-way, and the removal of material would be accomplished by utilizing existing public and private crossings. CSXT further states that no new access roads are contemplated. Crossties and other debris would be transported away from the line and would not be discarded along the right-of-way, in streams or wetlands, or along the banks of waterways. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil. In addition, CSXT does not anticipate any dredging or use of fill in the removal of the track material. CSXT states that it would take precautions during salvage operations to prevent or control spills from fuels, lubricants, or other pollutant materials from entering any waterways. Accordingly, we recommend that a condition be imposed requiring CSXT to conduct salvage activities in the manner it has proposed.

The Town of Pelzer submitted comments stating that the proposed abandonment does not appear to be located within its municipal limits. Accordingly, the proposed project would not affect anything related to the town's planning.

The City of Belton submitted its Master Plan, which states that the city is connected to the rest of South Carolina by CSXT and Pickens Railway Company (Pickens) lines. The city did not indicate any objection to the proposed abandonment but requested to be updated on matters related to the proposed abandonment. Accordingly, we have added the City of Belton to the service list.

Anderson County submitted comments stating that it opposes the proposed abandonment. There are a number of companies located on the line, as well as on the connecting rail line that is owned and operated by Pickens, and Anderson County states that these companies are important to economic development in the area. Anderson County believes that the proposed abandonment is likely to result in increased transportation costs, decreased business, and job losses in the community.⁷ In addition, Anderson County expressed concern that the proposed project would result in an increase in truck traffic that could increase the cost of maintaining public roads and affect air quality.

It is well settled that in conducting environmental review in abandonment cases, the Board's role is limited to the anticipated impacts of the abandonment proposal before the agency, e.g., the likely diversion of traffic to other lines or transportation modes and the likely disruptive consequences of removing the track and related structures. Iowa Southern R. Co.—Exemption—Abandonment, 5 I.C.C.2d 496, 501(1989), aff'd, Goos v. ICC, 911 F.2d 1283 (8th Cir. 1990). Accordingly, it would not be appropriate or

⁷ SEA notes that Western Carolina Railway Service Corporation and Seaside Holdings, Inc. have each expressed an intent to file an offer of financial assistance pursuant to 49 U.S.C. 10904(c) and 49 CFR 1152.27(c)(2)(i).

consistent with Board precedent for SEA to recommend a condition regarding responsibility for maintenance of public roads. And, as explained above, any air emissions that would result from an increase in truck traffic would not exceed the Board's air quality thresholds that are established under 49 CFR 1105.7(e)(5).

The U.S. Fish and Wildlife Service (USFWS) has not submitted comments regarding potential impacts to Federally listed threatened and endangered species. Accordingly, SEA is sending a copy of this EA to USFWS' Region 4 Office for review and comment.

Prime farmland may exist in the proposed project area, but CSXT does not believe that the proposed abandonment will have an adverse impact on prime farmland. The Natural Resource Conservation Service (NRCS) has not submitted comments regarding potential impacts to prime farmland. Accordingly, SEA is sending a copy of this EA to NRCS for review and comment.

The U.S. Army Corps of Engineers' Charleston District (Corps) reviewed the proposed abandonment and determined that: all work would be conducted in uplands; no fill material would be placed in the Waters of the United States or adjacent wetlands; there would be no mechanized clearing of forested wetlands; and no fill material or structures would be placed in navigable waters of the United States. Accordingly, the Corps submitted comments stating that no Corps permits would be required for the proposed project.

The USEPA's Region 4, submitted comments stating that there is not enough information for it to determine whether or not the proposed abandonment would be subject to National Pollutant Discharge Elimination System (NPDES) permitting requirements. Furthermore, USEPA recommends that CSXT contact the South Carolina Department of Health and Environmental Control (DHEC) and rely on their determination for NPDES requirements. To address the concerns raised by USEPA, we recommend that a condition be imposed requiring CSXT to contact DHEC prior to commencement of any salvage activities on this project to comply with the reasonable NPDES requirements.

In a letter dated February 24, 2006, DHEC's Bureau of Water reviewed the proposed abandonment and recommended a number of mitigation measures to ensure protection and maintenance of water quality standards and classified uses. Subsequently, CSXT sent additional information regarding its planned salvage activities to DHEC, and in a June 15, 2006 phone call with SEA, DHEC's Bureau of Water modified their previous recommendations. DHEC's Bureau of Water now states that a Department administered Section 401 Certification, a Corps administered Section 404 Permit, and a Navigable Waters Permit would not be required for the proposed abandonment. However, DHEC's Bureau of Water recommended that CSXT contact Ms. Melissa McInoe at DHEC in order to determine whether a state land disturbance permit from the Sediment, Erosion and Stormwater program would be required. To ensure appropriate consideration of the state land disturbance permit requirements, we recommend that a

condition be imposed requiring CSXT to consult with DHEC (Ms. Melissa McInoe at (803) 898-4033) prior to commencement of any salvage activities and to comply with the reasonable state land disturbance permit requirements.

According to CSXT, the proposed abandonment will not affect wildlife sanctuaries or refuges, national or state parks, or forests.

CSXT indicates that there was a hazardous material release in 1985, when four covered hoppers derailed and released 400 tons of ammonium nitrate. However, CSXT reports that the material was recovered and disposed in accordance with all state and Federal guidelines.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts. SEA is providing a copy of this EA to the following groups and agencies for review and comment: City of Belton; Anderson County; USFWS; NRCS; and DHEC.

HISTORIC REVIEW

CSXT submitted the historic report on the South Carolina Department of Archives and History (the State Historic Preservation Office or SHPO), pursuant to 49 CFR 1105.8(c). As stated above, there is one through-plate-girder bridge on the line that is 50 years old or older. The bridge was built in 1912, and is 31-feet long. However, CSXT indicates that the bridge has been modified for safety reasons. In addition, CSXT states that the right-of-way was disturbed during construction of the line by cuts and fill; accordingly, CSXT states that any archaeological resources that may have been located in the proposed project area would have been affected at that time.

The SHPO submitted comments stating that its office knows of no properties listed in or eligible for the National Register of Historic Places that will be affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

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 not affect 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 the railroad's historic report, all relevant correspondence, and this Environmental Assessment, which have been provided to the SHPO and made available to the public.

SEA also conducted a search of the Native American Consultation Database at www.cast.uark.edu/other/nps/nacd/ to identify Federally recognized tribes that may have ancestral connections to the project area. The database identified no Federally recognized tribes in Anderson County.

CONDITIONS

SEA recommends that the following environmental conditions be placed on any decision granting abandonment authority:

1. As agreed to by CSX Transportation, Inc. (CSXT), CSXT shall conduct salvage activities in the following manner: perform salvage activities within the right-of-way and utilize existing public and private crossings; transport crossties and other debris away from the right-of-way, streams, wetlands, and banks of waterways; avoid disturbing the underlying roadbed and any activities that would cause sedimentation or erosion of the soil; avoid dredging or use of fill in the removal of the track material; and take precautions during salvage operations to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.
2. To ensure proper consideration of the National Pollutant Discharge Elimination System (NPDES) requirements and/or state land disturbance permit requirements, CSX Transportation, Inc. shall contact Ms. Melissa McInoe at the South Carolina Department of Health and Environmental Control prior to commencement of any salvage activities and shall comply with the reasonable NPDES and/or state land disturbance permit requirements.

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), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage 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 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 EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Christa Dean who prepared this EA. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-55 (Sub-No. 664X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Christa Dean the environmental contact for this case, by phone at (202) 565-1606, fax at (202) 565-9000, or e-mail at deanc@stb.dot.gov.

Date made available to the public: June 27, 2006.

Comment due date: July 27, 2006.

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

Vernon A. Williams
Secretary

Attachment