

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 511 (Sub-No 5X)**

**Central Railroad Company of Indianapolis – Abandonment Exemption –  
in Howard County, Ind.**

**BACKGROUND**

In this proceeding, Central Railroad Company of Indianapolis (CERA) filed a notice of exemption under 49 C.F.R. § 1152.20 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of the Tipton Industrial Lead in Howard County, Indiana. The rail line extends 2.84 miles from milepost 55.66 at North Kokomo to milepost 58.5 at Cassville (the Line). A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**ENVIRONMENTAL REVIEW**

CERA submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CERA 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 C.F.R. § 1105.7(b)].<sup>1</sup> The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

***Diversion of Traffic***

According to CERA, no local traffic has moved over the Line in the last two years. There is also no overhead traffic that would have to be rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources of 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.

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<sup>1</sup> The environmental and historic reports are available for viewing on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov) choosing "E-Library," selecting "Filings," then conducting a search for AB 511 (Sub-No. 5X).

## *Salvage Activities*

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

CERA states that it intends to salvage the Line, including track and ties, following abandonment. However, it does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion. CERA does not anticipate the need to conduct any dredging activities or use fill in the removal of track material. During removal activities, CERA plans to implement measures to prevent or control oil spills from fuels, lubricants and other potentially pollutant materials.

The Line extends south from Cassville and crosses Route 31 just before entering Kokomo. The Line right-of-way ranges between 44 to 80 feet in width and consists of 30 acres of land. Residences and business, including some industrial in nature, border the Line at Cassville and at Kokomo. Elsewhere, land use surrounding the Line is primarily agricultural.

CERA states that, following abandonment, it plans to convey 4.671 acres of land underlying the Line to the Indiana Department of Transportation (INDOT) for the purpose of building a Route 31 bypass around Kokomo. According to CERA, abandonment of the Line would facilitate the construction of the bypass, which is in final design stages, by eliminating the need for INDOT to build two costly grade separation structures over the Line that would be required if the Line remains in place.

According to CERA, a previously abandoned section of rail line that connects to the northern terminus of the Line was converted into a 40-mile long trail, known as the Nickel Plate Trail. Though the proposed bypass would use part of the Line, CERA states that INDOT has had discussions with interested parties regarding converting the remaining segmented portions of the Line into a trail corridor. It is unclear, however, if these segments would connect with the existing Nickel Plate Trail.

The National Geodetic Survey has advised SEA that no geodetic station markers would be affected by the proposed abandonment.

The Natural Resources Conservation Service has advised CERA that the proposed abandonment would not affect prime farmlands.

CERA submitted the environmental report to several local, state and Federal agencies from which responses or comments have yet to be received. These include the U.S. Fish and Wildlife Service; the U.S. Army Corps of Engineers; the U.S. Environmental Protection Agency; the Indiana Department of Natural Resources; the Indiana Department of Environmental

Management; the City of Kokomo; and the County of Howard. SEA is providing copies of this EA to these agencies to ensure that they have an additional opportunity to provide comment.

Based on all information available to date, SEA does not believe that any salvage activities that would be conducted following abandonment of the Line would cause significant environmental impacts. SEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment. Abandonment of the Line would also improve public safety in the area through the elimination of 5 public road crossings and 1 private road crossing.

### **HISTORIC REVIEW**

CERA served the historic report on the Indiana State Historic Preservation Office (SHPO) pursuant to 49 C.F.R. § 1105.8(c). SEA has not heard from the SHPO regarding its opinion on the potential for the Line to contain properties eligible for listing on the National Register of Historic Places (National Register) pursuant to Section 106 of the National Historic Preservation Act. We are thus recommending a condition requiring CERA to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed on the National Register until completion of the Section 106 process.

SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify federally recognized tribes that may have ancestral connections to the project area and that would need to be contacted as part of the Section 106 process. The Miami Tribe of Oklahoma was shown as having a potential interest in the proposed undertaking. A copy of this EA will be sent to the tribe for its review and comment.

Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

### **CONDITION**

We recommend that the following condition be imposed on any decision granting abandonment authority:

Central Railroad Company of Indianapolis (CERA) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed on the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. CERA shall report back to the Section of

Environmental Analysis regarding any consultations with the Indiana State Historic Preservation Office, the public, and any other Section 106 consulting parties that have been identified. CERA may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended condition is 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 C.F.R. § 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 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 C.F.R. § 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, 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 Catherine Glidden, who prepared this EA. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB 511 (Sub-No. 5X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Catherine Glidden, the environmental contact for this case, by phone at (202) 245-0293, fax at (202) 245-0454, or e-mail at [gliddenc@stb.dot.gov](mailto:gliddenc@stb.dot.gov).

Date made available to the public: July 27, 2010.

**Comment due date: August 11, 2010.**

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

Attachment