

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-55 (Sub. No. 696X)  
CSX Transportation, Inc. - Abandonment Exemption -  
in Lucas County, OH**

**BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for CSXT to abandon 4.15 miles of rail line on its Northern Region, Chicago Division, Toledo Terminal Subdivision between Temperance (Milepost 5.0) and Vulcan (Milepost 9.15) in Lucas County, Ohio. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, CSXT will be able to remove any railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

CSXT indicates that there is no demand for or prospect of rail service over the line and that no traffic has originated, terminated, or moved overhead on this line segment for at least ten years. Consequently, no rail traffic would be diverted to highway mode as a result of the abandonment.

The line is located in a rural/suburban setting paralleling the Ohio River. The line contains a 1914 deck-plate-girder bridge that spans the Ottawa River. The line right-of-way extends between 20 and 40 feet from the centerline of the track.

**ENVIRONMENTAL REVIEW**

CSXT 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 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)).<sup>1</sup> The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

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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) by going to "E-Library," selecting "Filings," and then conducting a search for AB-55 (Sub-No. 696X).

Following abandonment approval, CSXT states that it intends to remove rail, crossties, and possibly the upper layer of ballast. CSXT does not plan to disturb any sub-grade or sub-grade structures. There are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment.

CSXT believes that the line would be suitable for public purposes and has entered into discussions with the Toledo Metropolitan Area Council of Governments and the Trust for Public Lands regarding the future use of the line for trail use. CSXT states that the line may be subject to revisionary interests. CSXT indicates that the rail line does not contain any federally granted right-of-way.

CSXT indicates that, to the best of its knowledge, the area proposed for abandonment does not contain hazardous waste or waste materials.

The U.S. Fish and Wildlife Service commented that no significant adverse impacts to wetlands or federally listed endangered or threatened species are anticipated from the proposed abandonment. Therefore, no further consultation pursuant to Section 7 of the Endangered Species Act is required.

In a letter to CSXT, the Ohio Department of Transportation stated that it is supportive of the proposed abandonment.

CSXT states that the proposed abandonment would likely result in the improvement of public safety through the elimination of five public, at-grade road crossings.

CSXT received a response from the Ohio Coastal Management Program in response to its environmental report indicating that the area of the proposed abandonment is not located within a designated coastal zone.

The Natural Resources Conservation Service provided a comment to CSXT stating that the area of the proposed abandonment does not contain prime farmland.

The National Geodetic Service (NGS) reports that the area of the proposed abandonment may contain two Geodetic Station Markers. Consequently, SEA is requesting a condition to ensure that CSXT notifies the NGS prior to initiating any salvage activities.

Based on all information available to date, SEA does not believe that the proposed post abandonment activities would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, SEA is providing a copy of this EA to the following agencies for review and comment: the Ohio Department of Natural Resources; the U.S. Army Corps of Engineers; and the U.S. Environmental Protection Agency.

## **HISTORIC REVIEW**

CSXT submitted an historic report as required by the Board's environmental rules (49 CFR 1105.8(a)). CSXT served the report on the Ohio State Historic Preservation Office (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment. SEA has reviewed the report and the information provided by the SHPO and concurs 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 would 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 CSXT's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's web site at <http://www.stb.dot.gov>.

SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally recognized tribes which may have ancestral connections to the project area. The database did not identify any tribes.

## **CONDITION**

SEA recommends that the following environmental condition be placed on any decision granting abandonment authority.

**CSX Transportation, Inc. shall consult with the National Geodetic Survey at least 90 days prior to the beginning of salvage activities that will disturb or destroy any of the 2 geodetic station markers that may be located along the line proposed for abandonment.**

## **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 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 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 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-55 (Sub-No. 696X) 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: February 16, 2010.

**Comment due date: March 03, 2010.**

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

Attachment