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OEA

SERVICE DATE – JANUARY 29, 2016

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 55 (Sub-No. 747X)**  
**CSX Transportation, Inc. – Abandonment Exemption –**  
**in Ben Hill County, Ga.**

**BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT) filed a petition of exemption under 49 U.S.C. § 10502 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Ben Hill County, Georgia. The rail line proposed for abandonment extends approximately 0.23 miles from milepost SLA 660.39 to the end of the line at milepost SLA 660.62 in Fitzgerald (the line). A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA). If the petition becomes effective, CSXT will be able to salvage track, ties, and other railroad appurtenances and to dispose of the right-of-way. As explained below, CSXT plans to leave the tracks and materials in place so that the only active shipper on the line can use the line to load and unload rail cars on its own property through a private side track agreement. CSXT does not plan to conduct any salvage activities related to this abandonment.

**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 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 C.F.R. § 1105.7(b)].<sup>1</sup> The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

The line was originally part of the Abbeville & Waycross Railroad (A&W), incorporated in 1889. John Williams bought the A&W in 1896, extended the line nine miles from Fitzgerald to Ocilla, and changed the name to the Georgia and Alabama Railroad (G&A). The G&A was operated by the Seaboard Air Line Railroad (SAL) in 1900 and was eventually sold to SAL in 1902. SAL and the Atlantic Coast Line merged to form the Seaboard Coast Line Railroad (SCL) in 1967. By 1972, SCL and its corporate relatives, Louisville and Nashville, Georgia Railroad, West Point Route, and the Clinchfield Railroad began advertising themselves as The Family

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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. 747X).

Lines System. SCL and the Chessie System, Inc. became subsidiaries of CSX Corporation in 1980, but continued to operate as separate railroads. In 1982, the merger of The Family Lines' affiliates formed the Seaboard System Railroad, Inc., whose name was changed in 1986 to CSXT.

The purpose of the proposed abandonment is for CSXT to abandon its common carrier obligation and subsequently sell the line to the only active shipper on the segment, Modern Dispersions, Inc. (Modern). The line ends at Modern's facility. Modern wishes to redevelop and expand its current location to include the line. The main commodity transported on the line is plastic pellets that are used to manufacture electronic packaging, cell phones, fabrics, and household plastic items. If the Board approves this abandonment, then following consummation of the abandonment, the line will be transferred to Modern. A Purchase and Sale Agreement with Modern is in place contingent on Board approval of the abandonment. There would be no loss of rail service as CSXT would continue to meet Modern's common carrier requirements. CSXT would not salvage any materials on this site. CSXT plans to leave the tracks and materials in place and Modern plans to use the line to load and unload rail cars on its own property through a private side track agreement.

The line traverses an industrial area. The right-of-way width is approximately 20 feet from the centerline of track. Based on information in the possession of CSXT, the line does not contain federally granted right-of-way. CSXT does not know of any archeological resources or any other previously unknown historic properties in the project area. The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time.

### ***Diversion of Traffic***

According to CSXT, Modern is the only customer on the line. CSXT is seeking to abandon the line and sell it to Modern so that Modern can expand its pellet shipping operation. Modern does not object to CSXT's abandonment of the line.

CSXT would continue to serve Modern and there would be no diversion of rail traffic to motor carriage. 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.

### ***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. CSXT indicates it does not plan to conduct salvage activities as the ownership of the line would be transferred to Modern for its continued use.

CSXT believes that the proposed abandonment would be consistent with local land use plans and would not have an adverse impact on farmlands. The Fitzgerald and Ben Hill County Development Authority (FBHC) has indicated that the abandonment, as proposed, is consistent with existing land use plans. Additionally, FBHC encourages the sale as it would allow Modern to continue its growth in Fitzgerald and Ben Hill County. The line may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

CSXT records do not indicate that any hazardous material spills have occurred within the project area.

The National Geodetic Survey has advised OEA that no geodetic station markers have been identified that may be affected by the proposed abandonment.

No designated wetlands or 100 year flood plains would be affected by the proposed abandonment. The line that CSXT seeks to abandon is not located within a coastal zone. CSXT records do not indicate that any swampy conditions exist in the project area. Although CSXT does not believe that any water quality permits would be required for activities related to the proposed abandonment, CSXT has indicated that it would comply with reasonable local, state and federal regulations and obtain any necessary permits. OEA has not identified any impacts to water resources from this proposed abandonment.

CSXT indicates that no wildlife sanctuaries, refuges, National or State parks, or forests would be adversely affected by activities related to the proposed abandonment. The U.S. Fish and Wildlife Service in Athens, Georgia, has indicated that it would not expect any impacts to federally listed species in the project area as a result of the proposed abandonment as CSXT does not plan to conduct salvage activities.

OEA believes that any air emissions associated with activities related to the proposed abandonment would be temporary and would not have a significant impact on air quality. Noise associated with activities related to the proposed abandonment would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that activities related to the proposed abandonment would cause significant environmental impacts

## **HISTORIC REVIEW**

CSXT submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Georgia Department of Natural Resources, Historic Preservation Division (SHPO) pursuant to 49 C.F.R. § 1105.8(c). The SHPO has reviewed the historic report. Based on the information provided, the SHPO has determined that the line is eligible for listing in the National Register of Historic Places (National Register) under Criteria A and C. The SHPO has determined, however, that the proposed abandonment would

have no adverse effect to historic properties within its area of potential effects, as defined in 36 CFR Part 800.5(d)(1) as CSXT does not plan to conduct salvage activities.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad'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 website at <http://www.stb.dot.gov>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.<sup>2</sup> The database indicated no federally-recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment.

## **CONDITIONS**

We recommend that no environmental conditions be imposed on any decision granting abandonment authority.

## **CONCLUSIONS**

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, abandonment of the line would 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 lines, the right-of-way may be suitable for other public use. A request containing the requisite 4-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.

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<sup>2</sup> Native American Consultation Database, <http://grantsdev.cr.nps.gov/Nagpra/NACD/> (last visited January 20, 2016).

## **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 Environmental Assessment, send original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. 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. 747X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at [blodgettk@stb.dot.gov](mailto:blodgettk@stb.dot.gov).

Date made available to the public: January 29, 2016.

**Comment due date: February 29, 2016.**

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment