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SEA

SERVICE DATE – JUNE 29, 2007

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-55 (Sub-No. 683X)**

**CSX Transportation, Inc. - Abandonment Exemption -  
In Greenbrier County, WV**

**BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT) 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 an approximately 13.6-mile line of railroad in Greenbrier County, West Virginia. The rail line extends from milepost CAH 7.2 to the end of the track at milepost CAH 20.8. A map depicting the rail 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 dispose of the right-of-way.<sup>1</sup>

**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 CFR 1105.7(b)].<sup>2</sup> The

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<sup>1</sup> In 2001, CSXT filed a notice of exemption to abandon the same 13.6-mile rail line, and in a November 7, 2001 Board decision, the exemption was made subject to the condition that CSXT retain its interest in the line in its entirety until completion of the Section 106 process and the condition that CSXT consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to disturbing or destroying any geodetic station markers. See CSX Transportation, Inc. – Abandonment Exemption – in Greenbrier County, WV, STB Docket No. AB-55 (Sub-No. 598X) (STB served Nov. 7, 2001). CSXT did not exercise the abandonment authority before it expired, and CSXT has now filed a new notice of exemption to abandon the line. See CSX Transportation, Inc. – Abandonment Exemption – in Greenbrier County, WV, STB Docket No. AB-55 (Sub-No. 598X) (STB served May 11, 2007).

<sup>2</sup> The railroad's 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. 683X).

Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

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

In the Environmental and Historic Reports, CSXT indicates that the line was formerly used to ship coal and that it has received interest from a coal shipper about continued rail service over the line. However, CSXT states that the line has not generated any traffic in over six years and that any overhead traffic on the line can be rerouted over other lines. 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***

According to CSXT, the line traverses a mountainous area with several small coal-mining communities adjacent to the right-of-way. The right-of-way is between 25 and 50 feet from the center line of the track, and existing roadways and right-of-ways would be used to access the site. CSXT plans to salvage the rail, crossties, and possibly the upper layer of ballast but states that the underlying roadbed would not be disturbed and no activities would be undertaken that would cause sedimentation or erosion.

CSXT states that dredging is not anticipated and debris from the removal activities would not be discarded along the right-of-way. In addition, no material would be placed in streams or wetland areas or along the banks of such waterways. The U.S. Army Corps of Engineers (Corps) has not submitted comments regarding this proposed abandonment. However, based on information in CSXT's 2001 filing, the Corps previously stated that no permit would be required for the proposed project. Because of the time that has passed since the original filing and because the line crosses Brown's Creek and Big Clear Creek, we have included the Corps on the service list for this proceeding to ensure that they receive a copy of this EA.

When CSXT filed for abandonment in 2001, the National Geodetic Survey (NGS) stated that five geodetic station markers might be affected by the proposed abandonment and requested notification at least 90 days in advance of any activities that would disturb or destroy these markers in order to plan for their relocation. Although NGS has not submitted comments in response to the current filing for abandonment, we recommend a condition requiring CSXT to notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers in order to plan for the possible relocation of the markers by NGS.

The Natural Resources Conservation Service (NRCS) has not submitted comments regarding this proposed abandonment. Because portions of land contiguous to the line may be classified as prime agricultural land, we have included NRCS on the service list for this proceeding to ensure that they receive a copy of this EA.

In 2001, the U.S. Department of Fish and Wildlife (USFWS) submitted comments stating that no Federally listed endangered or threatened species or species of concern are expected to be impacted by the proposed project. Because USFWS has not submitted comments regarding this proposed abandonment, we have included USFWS on the service list for this proceeding to ensure that they receive a copy of this EA.

There are no known hazardous waste sites located on the line proposed for abandonment. According to CSXT, there was a locomotive fuel spill at Rupert, West Virginia in April 1980. CSXT states that local authorities recovered the spilled fuel and no further remediation was necessary.

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: Corps; NGS; NRCS; and USFWS.

## **HISTORIC REVIEW**

CSXT submitted an Historic Report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the West Virginia Division of Culture and History (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). There are three bridges on the line that are 50 years old or older. The bridges were constructed between 1912 and 1928. Based on available information, 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 within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 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 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 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>.

Pursuant to 36 CFR 800.2, 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 identified no Federally recognized tribes in Greenbrier County.

## **CONDITIONS**

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

1. CSX Transportation, Inc. shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or

destroy any geodetic station markers.

## **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 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 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 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) 245-0230, 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](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-55 (Sub-No. 683X) 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) 245-0299, fax at (202) 245-0454, or e-mail at [christa.dean@stb.dot.gov](mailto:christa.dean@stb.dot.gov).

Date made available to the public: June 29, 2007.

**Comment due date: July 16, 2007.**

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

Vernon A. Williams  
Secretary

Attachment