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SERVICE DATE - FEBRUARY 13, 2004

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-55 (Sub-No. 645X)

**CSX Transportation, Inc.–Abandonment Exemption–
in Floyd County, KY**

BACKGROUND

In the above entitled 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 in connection with the abandonment of a 9.1-mile rail line between milepost COQ 1.0 at McNalley and milepost COQ 10.1 near East David, in Floyd County, KY. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The right-of-way widths along this line vary between 30 and 120 feet from the center-line. The rail line traverses several small communities and streams. The line follows the meandering of the Middle Creek, Left Fork, Lick Creek and Caney Creek Valleys. It is located in a mountainous, forested area that contains several strip miners and mine dumps. CSXT states that the line was formerly used to ship coal; and that there has been no originating or terminating traffic in over five years; and no future traffic is anticipated.

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 and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. Also we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included: Department for Environmental Protection Division of Water; Floyd County Planning Department; Kentucky Department of Parks; National Geodetic Survey; National Park Service; Office of Intermodal Programs; Mr. Timothy Sturgill, Railtrail Development Office, Department of Local Government; U.S. Army Corps of Engineers, Huntington District; U.S. Department of Agriculture; U.S.

Department of the Interior, Fish and Wildlife Service; U. S. Environmental Protection Agency, Region 4; U. S. Department of Agriculture - Natural Resources Conservation Service (Soil); and the State Historic Preservation Officer.

The National Geodetic Survey (NGS) has submitted comments stating that three geodetic station markers have been identified that may be affected by the proposed abandonment. NGS requests not less than 90 days notification in advance of any activities that will disturb or destroy these markers.

HISTORIC REVIEW

CSXT submitted a historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. CSXT served the report on Mr. David L. Morgan Director - Kentucky Heritage Council & State Historic Preservation Officer (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has not yet completed its review of the proposed abandonment.

CSXT states that a review of their records indicates that are 8 CSXT owned structures over 50 years old on this line segment that may be eligible for listing in the National Register of Historic Places. CSXT states that the line was disturbed during construction cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at the time versus during the proposed salvage operations associated with rail removal. CSXT further states that their records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment authority.

1. CSXT shall consult with the NGS and provide NGS with 90 days notice prior to disturbing or destroying any geodetic station markers.
2. An evaluation of the potential impact of this project on historic resources has not been completed. Accordingly, a condition is recommended requiring that CSXT shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude 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 this case, 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 of exemption in the Federal Register. Nevertheless, 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 responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, 1925 K St., N.W., Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, 1925 K. St., N.W., Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to STB Docket No. AB-55 (Sub-No. 645X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1657, fax at (202) 565-9002, or e-mail at Ann Newman@STB.dot.gov.

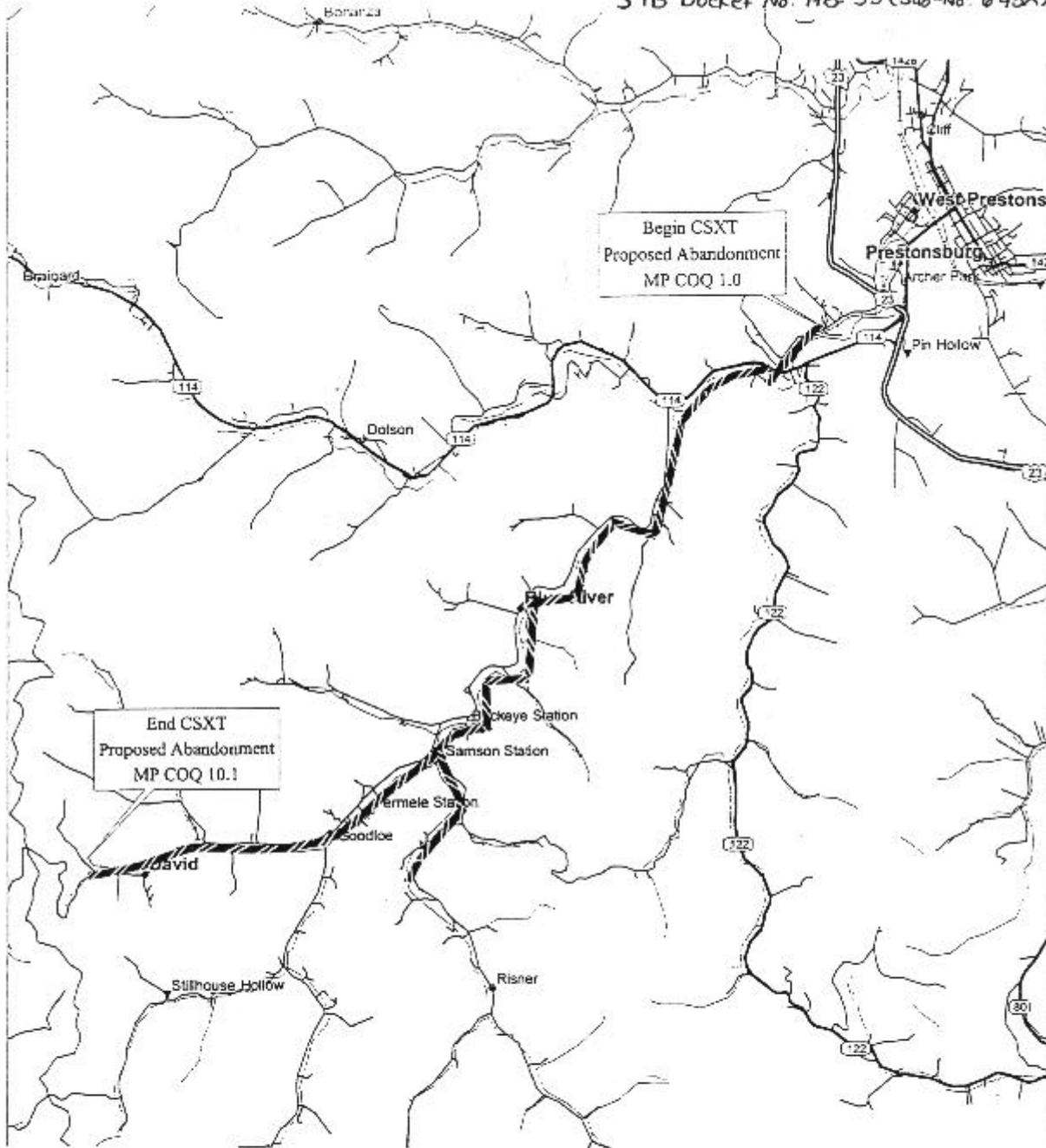
Date made available to the public: February 13, 2004.

Comment due date: March 1, 2004.

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

Vernon A. Williams
Secretary

Attachment



CSX Transportation, Inc

Middle Creek Subdivision, Floyd County, Kentucky

 9.1 Miles of line proposed for abandonment