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SERVICE DATE - JUNE 4, 2004

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-868X

Mississippi Tennessee Holdings, LLC – Abandonment Exemption –  
in Union, Pontotoc and Chickasaw Counties, MS

STB Docket No. AB-869X

Mississippi Tennessee Railroad, LLC – Discontinuance of Service Exemption –  
in Union, Pontotoc and Chickasaw Counties, MS

### BACKGROUND

In this proceeding, Mississippi Tennessee Holdings, LLC (MTH) and Mississippi Tennessee Railroad, LLC (MTR) jointly filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903. MTH seeks to abandon and MTR seeks to discontinue service over a line of railroad in Union, Pontotoc and Chickasaw Counties, Mississippi. The rail line proposed for abandonment and discontinuance of service extends 43.2 miles from milepost 324.2 near New Albany, Mississippi to milepost 281.0 near Houston, Mississippi. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, MTH will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

### DESCRIPTION OF THE LINE

According to MTH and MTR, there are currently five active shippers on the line: International Paper Corp.; AGRO; MPI, Inc.; Farmers' Marketing Association; and Ware Milling Co. MTH and MTR estimate that all of the shippers combined would move about 568 railcars over the line during the forecast year (12 months beginning April 1, 2004). The principal commodities that have been transported over the line are paper, cardboard, fertilizer, grain, glue and logs.

MTH and MTR state that the right-of-way of the line is generally 100 feet wide and extends through rural rolling wooded and pastured plains.

### ENVIRONMENTAL REVIEW

MTH and MTR have submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment and discontinuance or any post-abandonment activities, including salvage and disposition of the

right-of-way. MTH and MTR have served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated and reviewed the record in this proceeding.

MTH states that it plans to dispose of the track materials by removal and sale for reuse or scrap. MTH would dispose of the right-of-way by sale for corridor use or on a piecemeal basis. The abandonment and discontinuance would lead to the closing and elimination of 33 public at-grade road crossings.

The U.S. Fish and Wildlife Service submitted comments stating that the proposed abandonment and discontinuance would have no adverse impacts to wetlands and that no Federally listed, proposed or candidate species are present in the area.

The Natural Resources Conservation Service (NRCS) submitted comments stating that the proposed abandonment and discontinuance would have no effect on prime agricultural lands, but recommended that precaution be used during salvage activities to ensure that prime agricultural lands would not be adversely affected. We will recommend a condition requiring MTH to consult with NRCS prior to beginning salvage activities.

The U.S. Army Corps of Engineers, Vicksburg, Mississippi District (Corps) submitted comments stating that the portion of the line from New Albany to Pontotoc would not require any Corps permits. The Corps states that the Mobile District has jurisdiction from Pontotoc to Houston and has been informed of the proposed abandonment and discontinuance. We will recommend a condition requiring MTH to consult with the Mobile District of the Corps prior to beginning salvage activities.

The County of Pontotoc submitted a request to the Board for issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use. The county states that the rail line is near the path of the historic Chickasaw Trail and preserving the corridor as a recreational trail would be beneficial.

## **Traffic**

Using the traffic data from the forecast year, the proposed abandonment and discontinuance could result in the conversion of 568 railcars to truck traffic. Using a conversion factor of 4 trucks per railcar,<sup>1</sup> the Section of Environmental Analysis calculated that, if all the rail traffic is diverted to truck traffic, about 2,272 loaded trucks per year or 4,544 total trucks (assuming an empty backhaul) could be added to area roadways per year. This would mean about 18 trucks per day, assuming 250 workdays per year. MTH and MTR state that Mississippi Highway 15 between Houston, Mississippi and Interstate Highway 78 could accommodate the increased truck traffic.

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<sup>1</sup> The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

## HISTORIC REVIEW

MTH and MTR submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. In the report MTH and MTR indicate that the line contains 10 bridges that are 50 years old or older. MTH and MTR served the report on the Mississippi Department of Archives and History or State Historic Preservation Officer (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that it has no comments or objections to the proposed abandonment or discontinuance. We have reviewed the report and the information provided by the SHPO and concur 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 and discontinuance will not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. 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.

## CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment and discontinuance authority:

1. Based on the comments submitted by the Natural Resources Conservation Service (NRCS), we recommend that **Mississippi Tennessee Holdings, LLC shall consult with NRCS prior to salvage regarding measures to avoid impacts to prime farmlands.**
2. Based on the comments submitted by the U.S. Army Corps of Engineers (Corps), we recommend that **Mississippi Tennessee Holdings, LLC shall consult with the Mobile District of the Corps (U.S. Army Engineer District, Mobile, P.O. Box 2288, Mobile, AL 36628-0001) prior to beginning salvage activities.**

## 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 and discontinuance of service over 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 and discontinuance 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 the time specified in the Federal Register notice. 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 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, Office of Public Services, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-868X in all correspondence, including e-filings, addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh, the environmental contact for this case, by phone at (202) 565-1539, fax at (202) 565-9000, or e-mail at [ghoshr@stb.dot.gov](mailto:ghoshr@stb.dot.gov).

Date made available to the public: June 4, 2004.

**Comment due date: July 6, 2004.**

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

Vernon A. Williams  
Secretary

Attachment

AB-868 X & AB-869 X  
ID# 34637

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# REGION 12 AR/LA/MS

Appendix 7

proposed  
abandonment  
and  
discontinuance

