

30075

SERVICE DATE - MARCH 12, 1999

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-290 (Sub. No. 204X) - Norfolk Southern
Railway Company - Abandonment -
At Charlotte, North Carolina

BACKGROUND

In the above entitled proceeding, Norfolk Southern Railway Company (NS) 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 its line of railroad between Mileposts R-0.13 and R-3.3, a distance of 3 miles in the City of Charlotte, Mecklenburg County, North Carolina. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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

According to NS, the land use in Charlotte along the right-of-way is commercial business. NS states that it is negotiating with Charlotte to convey the property to the city upon abandonment.

ENVIRONMENTAL REVIEW

NS 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. NS 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)]. We have reviewed and investigated the record in this proceeding.

The North Carolina Department of Cultural Resources (NCD CR) has informed us that there are two structures of historical

significance within the general area of the project:

Nebel Knitting Mill at 101 W. Worthington Avenue
Parks Cramer Company Complex at 2000 South Boulevard

However, NCDRC states that if the tracks and rail bed remain intact, NCDRC believes that the proposed abandonment in this proceeding will not adversely affect these properties. NS states in its application that it does not plan to remove tracks, ties or other railroad appurtenances if abandonment is granted, but rather plans to convey the right-of-way intact to the City of Charlotte. Therefore, we conclude that no mitigation is necessary at this time to protect the properties identified by NCDRC.

The National Geodetic Survey has informed us that 5 geodetic station markers may be affected by the proposed abandonment. NGS requests that it receive not less than 90 days' notification in advance of any salvage activities that may affect the markers in order to plan for their relocation. NGS also sent a copy of the list and location of the markers to NS. We will recommend NGS's request as a condition to any abandonment authority.

CONDITIONS

We recommend that the following condition be imposed on any decision granting abandonment authority:

The National Geodetic Survey (NGS) has identified 5 geodetic stations markers that may be affected by the proposed abandonment. Therefore, NS shall notify NGS at least 90 days prior to any salvage activities that may disturb or destroy these markers so that plans can be made for their relocation.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, subject to the recommended condition, and as currently proposed, 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

If abandonment and salvage of the rail line does take place, 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 Surface Transportation 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 Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. 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) 565-1592 or mail inquiries to the Surface Transportation Board, 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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB-290 (Sub No. 204X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Dana White at (202) 565-1552.**

Date made available to the public: March 12, 1999.

Comment due date: **March 26, 1999 (15 days).**

By the Surface Transportation Board, Elaine K. Kaiser,
Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

PLEASE SCAN MAP