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SEA

SERVICE DATE – OCTOBER 10, 2008

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-491 (Sub-No. 2X)**

**R.J. Corman Railroad Company/Pennsylvania Lines, Inc. – Abandonment Exemption – in  
Clearfield, Jefferson and Indiana Counties, PA**

**BACKGROUND**

In this proceeding, R.J. Corman Railroad Company/Pennsylvania Lines, Inc. (RJCP or railroad) filed a notice of exemption under 49 CFR 1152.20 seeking exemption from the requirements of 49 U.S.C. 10903 to abandon a line of railroad in Clearfield, Jefferson, and Indiana counties, Pennsylvania (PA). The rail line proposed for abandonment extends approximately seven miles between Milepost 0 near McGees and Milepost 7 near Hillman (the Line). A map depicting the Line in relationship to the area served is appended to this environmental assessment (EA). If the notice becomes effective, RJCP would be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

The Line is located in a wooded area of southeastern Jefferson County, northeastern Indiana County, and west-central Clearfield County. According to the railroad, the Line contains one highway-over-rail bridge, one rail-over-highway bridge, and a one-span steel bridge and culvert associated with tributaries of Bear Run. The right-of-way is generally 66 feet wide.

Until January 2006, the Line was used to move coal from a Hillman area mine to regional power plants and for export. All coal mined at Hillman is now moved by truck. The Line was once part of the Pennsylvania Railroad's Cresson Secondary Track. RJCP acquired the Line from Conrail in 1995. The railroad has provided a verified statement indicating that no local or overhead traffic has moved on the Line for at least two years. Accordingly, the proposed abandonment would not result in the diversion of rail traffic to other modes. RJCP is not aware of any hazardous waste sites or sites where there have been hazardous material spills on the right-of-way.

**ENVIRONMENTAL REVIEW**

The railroad 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. The railroad 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>1</sup> The Board's Section of Environmental Analysis (SEA) reviewed and investigated the record in this proceeding.

### *Diversion of Traffic*

Because there is no rail traffic on the Line, 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*

Rail line salvaging activities can include the removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the right-of-way, and regrading of the right-of-way. Salvage can be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

For the proposed abandonment, RJCP has stated that the abandonment and salvaging process would include the following:

- Steel rails would be salvaged.
- At-grade crossings would be removed according to applicable laws and backfilled with bituminous material.
- The railbed and subgrade would not be altered.
- Salvage activities would be confined to the existing right-of-way and access routes.
- Of the three existing bridges, the highway-over-rail bridge is under the jurisdiction of the PA Department of Transportation. The rail-over-highway bridge would remain in place because it is part of another rail subdivision. RJCP indicated no intent of removing the small, one-span bridge over a Bear Run tributary.
- Discharge of any materials into navigable waters is not anticipated by RJCP.

The PA Department of Environmental Protection noted that the project area is outside of Pennsylvania's coastal zones.

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<sup>1</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-491 (Sub-No. 2X).

The PA Department of Transportation stated that the at-grade crossings should be abolished in an appropriate manner and with the approval of the PA Utility Commission.

The U.S. Fish and Wildlife Service – Pennsylvania Field Office (USFWS) stated that Federally listed threatened or endangered species are not known to occur within the project area. Therefore, a biological assessment or further consultation under the Endangered Species Act (16 U.S.C. 1535) are not required (USFWS Project No. 2008-1429).

The Natural Resources Conservation Service (NRCS) stated that both temporary and permanent erosion and sedimentation control practices should be planned, implemented and maintained. NRCS recommended consultation with the appropriate county conservation districts for review of erosion and sedimentation control plans and practices.

The U.S. Army Corps of Engineers – Pittsburgh District (USACE) stated that a Federal permit under Section 404 of the Clean Water Act (33 U.S.C. 1344) would not be required based on the railroad's description of the proposed abandonment and salvaging activities (USACE Project No. 2008-1398).

## **HISTORIC REVIEW**

The railroad submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Pennsylvania Bureau of Historic Preservation (the State Historic Preservation Office or SHPO), pursuant to 49 CFR 1105.8(c). In a June 24, 2008 reply, the SHPO stated that the proposed abandonment should have no effect on any prehistoric or historic archaeological resources that may be in the area (SHPO Project No. ER-2000-3155-042-H).

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 website at <http://www.stb.dot.gov>.

SEA conducted a search of the Native American Consultation Database at [www.cast.uark.edu/other/nps/nacd/](http://www.cast.uark.edu/other/nps/nacd/) to identify Federally recognized tribes that may have ancestral connections to the project area. The database identified no tribes as having connections to Clearfield, Jefferson and Indiana counties.

## **CONDITIONS**

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

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA 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 and no salvage activities), 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 Assistance, Governmental Affairs, and Compliance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA 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, please send an **original and one copy** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Dave Navecky, 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 STB Docket No. AB-491 (Sub-No. 2X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Dave Navecky, the environmental contact for this case, by phone at 202-245-0294, fax at 202-245-0454, or e-mail at [naveckyd@stb.dot.gov](mailto:naveckyd@stb.dot.gov).

Date made available to the public: October 10, 2008.

**Comment due date: October 27, 2008.**

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

Anne K. Quinlan  
Acting Secretary

Attachment