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SERVICE DATE - AUGUST 1, 2000

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## **ENVIRONMENTAL ASSESSMENT**

STB Docket No. AB-567 (Sub-No. 1X)

**Rutherford Railroad Development Corporation—Abandonment  
Exemption—in Rutherford County, NC**

### **BACKGROUND**

In this proceeding Rutherford Railroad Development Corporation (RRDC) and Southeast Shortlines, Inc. d/b/a Thermal Belt Railway (TBRY) jointly filed a notice of exemption under 49 CFR 1152.50 seeking exemption from requirements of U.S.C. 10903 for RRDC to abandon, and TBRY to discontinue service over a 7.87-mile line of railroad between milepost SB-180.47 in Spindale and milepost SB-188.34 near Gilkey in Rutherford County, NC. 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**

RRDC and TBRY state that the line has not been used in more than two years and there are no shippers on the line.

### **ENVIRONMENTAL REVIEW**

RRDC and TBRY 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. RRDC and TBRY 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 at 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: Mr. David Brook, State Historic Preservation Office; Chief, Rail Division, N.C. Department of Transportation; Chief, National Forest System U.S.D.A.; Chief, Wilmington District, U.S. Corps of Engineers; Chief, Region Four, U.S. Environmental Protection Agency; Chief, Region Four, U.S. Fish and Wildlife Service; Chief, Recreation Resources Asst. Div., U.S. National Park Service; Dept. of Environment, Health & N.R.; Director, Division of Coastal Mgmt.; Director, Intergovernmental Relations, Department of Administration; Military Traffic Command, Transportation Engineering Agency, Attention: Railroads for National Defense; State Conservationist,

U.S.D.A. Soil Conservation Service; State Historic Preservation Officer, and Department of Cultural Resources.

### **CONDITIONS**

We recommend that no environmental conditions be placed on any decision granting abandonment authority:

### **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, 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 this case, 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 not 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 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. However, 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, Room 848, 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, Room 711, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-567 (Sub-No. 1X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: August 1, 2000.

**Comment due date: August 16, 2000.**

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

Vernon A. Williams  
Secretary

Attachment

MAP NEEDS TO BE SCANNED.