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SERVICE DATE – AUGUST 16, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 671X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–IN
LOGAN COUNTY, WV

Decided: August 15, 2006

CSX Transportation, Inc. (CSXT), filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 1.4-mile line of railroad on its Southern Region, Huntington Division – East, Logan and Southern Subdivision, extending from milepost CME 10.0 at Stirrat to milepost CME 11.4 at the end of the line at Sarah Ann, in Logan County, WV. Notice of the exemption was served and published in the Federal Register on July 19, 2006 (71 FR 41073-74). The exemption is scheduled to become effective on August 18, 2006.

The Board’s Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on July 24, 2006. In the EA, SEA notes that CSXT has indicated in its Environmental Report that the abandonment of the rail line would result in the removal of the rail, cross-ties, and possibly the upper layer of ballast, and that CSXT has proposed a salvage plan for removal of these materials. SEA also notes in the EA that CSXT plans to take appropriate measures during salvage activities to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Accordingly, as agreed to by CSXT, SEA recommends that CSXT be required to conduct salvage activities in the manner CSXT has proposed in its Environmental Report.

SEA also notes in the EA that the U.S. Department of Commerce, National Geodetic Survey (NGS), has identified one geodetic station marker that may be affected by the proposed abandonment. Therefore, SEA recommends that CSXT be required to notify NGS at least 90 days prior to conducting salvage activities so that plans can be made for the possible relocation of the geodetic station marker.

SEA further notes in the EA that the West Virginia Division of Culture and History (State Historic Preservation Officer or SHPO) submitted comments stating that the proposed abandonment would not affect any known historical, architectural, or archaeological sites listed in or eligible for inclusion in the National Register of Historic Places. The SHPO, however, stated that, if CSXT identifies any archaeological resources during salvage activities, CSXT should cease all such activities and notify the SHPO immediately. Accordingly, SEA recommends that, in the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, CSXT immediately cease all work

and notify SEA and the SHPO. SEA will then consult with the SHPO and CSXT to determine whether any mitigation measures are necessary.

Comments to the EA were due by August 8, 2006. No comments to the EA were received by the due date. Accordingly, the conditions recommended by SEA in the EA will be imposed. Based on SEA's recommendations, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the line described above is subject to the conditions that CSXT: (1) conduct salvage activities in the manner it has proposed in its Environmental Report; (2) notify NGS at least 90 days prior to conducting salvage activities so that plans can be made for the possible relocation of the geodetic station marker identified on the line; and (3) in the event that any archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, immediately cease all work and notify SEA and the SHPO. SEA will then consult with the SHPO and CSXT to determine whether any mitigation measures are necessary.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary