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SERVICE DATE - AUGUST 22, 1997

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-513 (SUB NO. 1X)

WARREN & TRUMBULL RAILROAD COMPANY AND ECONOMIC DEVELOPMENT
II RAIL CORPORATION - DISCONTINUANCE OF SERVICE
AND ABANDONMENT EXEMPTION IN TRUMBULL COUNTY, OHIO

BACKGROUND

In the above entitled proceeding, the Warren & Trumbull Railroad Company and the Economic Development II Rail Corporation (Applicants) have 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 discontinuance of service and abandonment of its railroad line. The 2.5-mile line is located in the City of Warren, Trumbull County, Ohio and extends from milepost MP 89.1 (DeForest Junction Station) to milepost MP 91.6 (North Warren Station). 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

Applicants state that due to the superior routing for bridge traffic available on a parallel branch, and the absence of any origin or termination traffic on the line, the line proposed for abandonment will be devoid of any freight traffic.

Applicants also state that because of the number and close spacing of highway crossings over the right-of-way, it does not appear that the right-of-way may be suitable for alternative public uses.

ENVIRONMENTAL REVIEW

Applicants 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. Applicants 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)]. A number of agencies responded by letter and these letters were included in Applicants' application. We have reviewed and verified this information.

The Ohio Environmental Protection Agency (Ohio EPA) expressed several concerns about salvage operations. Specifically, Ohio EPA requested that Applicants take precautions to control runoff of pollutants if bedding materials, such as slag, are to be disturbed during salvage and reused. The reuse of rail line slag, according to Ohio EPA, has caused water quality and public health concerns due to the presence of pesticide residuals, petroleum and hazardous substances in the slag. Because of these concerns, we recommend the following condition:

Applicants shall consult with Ohio EPA if salvage operations involve disturbance and/or reuse of bedding materials, such as slag.

The Ohio State Historic Preservation Officer (Ohio SHPO) advised us that the line may have historic significance. Specifically, the Ohio SHPO requests an inventory be taken to identify properties in the area of potential effect.

As we have in the past, we will define the area of potential effect for this undertaking as the right-of-way itself. If salvage is confined to the right-of-way (e.g., the removal of tracks, ties, ballast), and if salvage goes no deeper than the layer of ballast, the typical practice during salvage operations, there is no disturbance of the sub-surface of the right-of-way. Hence, we do not believe that an archaeological survey is necessary or appropriate.

However, Applicants and the OH SHPO have preliminarily identified two bridges on the line as potentially historic:

- (1) Bridge 90.5, brick and stone arch over Red Run stream, erected about 1900.
- (2) Bridge 90.6, through-truss over the Youngstown Belt Railroad, erected about 1930.

It appears that these two bridges may be of historic significance. As part of the process implementing Section 106 of the National Historic Preservation Act, we will impose the following condition to determine the extent of their historic significance:

Applicants shall consult with the Ohio State Historical Society and complete the Ohio Historic Inventory Bridge Forms, providing additional information as needed, to aid the Surface Transportation Board in meeting its responsibilities under the National Historic Preservation Act and to determine the extent of the historic significance of Bridge 90.5 and Bridge 90.6 and to determine whether they may be eligible for listing in the National Register of Historic Places. Pending resolution of this issue, Applicants shall retain their interest in and take no steps to alter the historic integrity of these two bridges until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

The National Geodetic Survey, U.S. Department of Commerce, has informed us in writing, with a copy to Applicants, that four geodetic station markers may be affected by the proposed abandonment and has requested not less than 90 days' notification in advance if these markers may be disturbed or destroyed. Based on this information, we will impose the following condition:

Applicants shall consult with the National Geodetic Survey, U.S. Department of Commerce, at least 90 days in advance, if any of the four identified geodetic station markers may be affected by the proposed abandonment or abandonment activities.

CONDITIONS

We recommend the following three conditions be attached to any decision granting abandonment authority:

Applicants shall consult with Ohio EPA if salvage operations

involve disturbance and/or reuse of bedding materials, such as slag.

Applicants shall consult with the Ohio State Historical Society and complete the Ohio Historic Inventory Bridge Forms, providing additional information as needed, to aid the Surface Transportation Board in meeting its responsibilities under the National Historic Preservation Act and to determine the extent of the historic significance of Bridge 90.5 and Bridge 90.6 and to determine whether they may be eligible for listing in the National Register of Historic Places. Pending resolution of this issue, Applicants shall retain their interest in and take no steps to alter the historic integrity of these two bridges until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

Applicants shall consult with the National Geodetic Survey, U.S. Department of Commerce, at least 90 days in advance, if any of the four identified geodetic station markers may be affected by the proposed abandonment or abandonment activities.

CONCLUSIONS

We have analyzed and verified the information provided. Based on the information provided from all sources to date, and subject to the recommended conditions, 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 any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage, 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) 565-1588, or mail inquiries to the 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, Surface Transportation Board, Section of Environmental Analysis, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No AB 513 (1X) in all correspondence addressed to the Board.** Questions regarding this environmental assessment should be referred to Ms. White at (202) 565-1552.

Date made available to the public: August 22, 1997.

Comment due date: **September 8, 1997** (15 days).

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

Vernon A. Williams
Secretary

Attachment