

Draft Environmental Assessment

**Docket No. FD 35756
Hartwell Railroad Company**

**Construction of Connecting Track Exemption
in Elbert County, Ga.**

Lead Agency:

Surface Transportation Board,
Office of Environmental Analysis
Victoria Rutson, Director

Project Contact:

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395 E Street SW, Room 1110
Washington, DC 20423



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

July 1, 2014

Re: Docket No. FD 35756, Hartwell Railroad Company —
Construction of Connecting Track Exemption —
in Elbert County, Ga.

Dear Reader:

The Surface Transportation Board's Office of Environmental Analysis (OEA) is pleased to provide you with a copy of the Draft Environmental Assessment (EA) for the proposal by Hartwell Railroad Company (Hartwell) to construct approximately 1,360 feet of track that would connect Hartwell's existing Toccoa-Elberton Line and CSX Transportation's, Inc. (CSXT) existing Abbeville Subdivision in Elbert County, Georgia. The proposed rail line would re-establish a prior rail connection formerly owned by the Norfolk Southern Railway Company (NSR) that was abandoned by NSR in 1995. Since then, Hartwell has interchanged its traffic with NSR at the other end of its line (some 40-miles northwest of the Proposed Action) in order to access the mainlines of CSXT approximately 60 miles to the northeast and about 37 miles to the southwest.

The proposed rail line construction would permit Hartwell to reach points served by CSXT that NSR does not serve and eliminate the inefficiency that would otherwise involve three carriers (Hartwell-NSR-CSXT) instead of two (Hartwell-CSXT) to reach points served solely by CSXT. Hartwell expects to handle up to one train per day in each direction over the new connection with CSXT.

In deciding to approve Hartwell's request, the Surface Transportation Board must first consider the potential environmental effects of its decision. The Draft EA is the first step in this process. This Draft EA examines the potential environmental effects of the Proposed Action and preliminarily concludes that the Proposed Action would adversely affect one environmental resource area, that of historic resources. The Georgia Department of Natural Resources' Historic Preservation Division (State Historic Preservation Office or SHPO) identified the former Century Granite Company site, which includes several buildings, as eligible for listing on the National Register of Historic Places (National Register). Therefore, in consultation with the SHPO and Hartwell, OEA is in the process of developing a Memorandum of Agreement (MOA) to satisfy the Board's Section 106 responsibilities under the National Historic Preservation Act. Project information developed to date indicates that there would be no significant impacts to any

environmental resources areas, including transportation systems, land use, energy, air quality, noise, safety, biological resources, surface or groundwater resources, and minority or low-income populations. And with mitigation in the MOA, adverse impacts to historic sites or structures would be minimized.

We encourage you to send us written comments on this Draft EA. OEA will consider and respond to comments in preparing the Final EA. The Final EA will include OEA's final conclusions on potential impacts that may result from the Proposed Action and OEA's final recommendations, including the final recommended mitigation measures. To be considered, comments must be submitted during the comment period, which will close on **July 31, 2014**.

Comments may be submitted by mail or electronically using "E-Filing" button on the Board's website (www.stb.dot.gov).

- **By Mail:** If you are sending your comment by mail, please be aware that there may be up to a week delay in the delivery of mail to federal agencies. Mail written comments to:

Diana Wood
Surface Transportation Board
395 E Street, SW
Room 1110
Washington, DC 20423

- **Electronically:** For electronic comments, simply click on E-filing and then "Environmental Comments" from the E-Filing button on the Board's website. The next page will be formatted to allow you to fill in your information and comment.

If you have questions or need clarification or guidance, please call Diana Wood at (202) 245-0302. You may email Ms. Wood at woodd@stb.dot.gov. We appreciate your time and effort in helping us to carefully evaluate the potential environmental effects here and we look forward to receiving your comments.

Sincerely,



Victoria Rutson
Director

SUMMARY OF MAJOR CONCLUSIONS IN THIS DRAFT ENVIRONMENTAL ASSESSMENT

The Office of Environmental Analysis (OEA) has conducted an extensive review of the potential beneficial and adverse environmental impacts that could result from the Proposed Action, a construction of approximately 1,360 feet of rail line just outside the corporate limits of the City of Elberton in Elbert County, Georgia that would reconnect Hartwell Railroad Company's (Hartwell) existing Toccoa-Elberton Line with CSX Transportation's, Inc. (CSXT) existing Abbeville Subdivision. OEA has reached the following major conclusions based on the information available to date; consultation with federal, state, and local agencies; and its own independent environmental analysis:

- The Proposed Action would allow Hartwell to interchange its traffic with CSXT at Elberton. In 1995, Hartwell acquired the Toccoa-Elberton Line or Line – an approximately 48.3-mile railroad line between Toccoa and Elberton in Elbert, Franklin, Hart, and Stephens Counties, GA – from the Norfolk Southern Railroad Company (NSR). The acquisition allowed Hartwell to directly interchange its traffic with NSR at Toccoa on the west end of the Line, and to indirectly interchange its traffic with CSXT's Abbeville Subdivision on the east end of the Line at Elberton using an approximately 1.9-mile portion of the Toccoa-Elberton Line that was retained by NSR. NSR subsequently abandoned the 1.9-mile segment of rail line and salvaged the right-of-way. The abandonment severed Hartwell's ability to interchange with CSXT at Elberton and required it to interchange its traffic with NSR at Toccoa, where access to CSXT is approximately 60 miles to the northeast and about 37 miles to the southwest eastern connection.
- The Proposed Action would eliminate the inefficiency that would otherwise involve three carriers (Hartwell-NSR-CSXT) instead of two (Hartwell-CSXT) to reach points served by CSXT. Hartwell contends that the Proposed Action would permit it to reach points served by CSXT that NSR does not serve. Hartwell would then be able to offer competitive and more efficient transportation alternatives to existing and future shippers.
- Hartwell expects to handle up to one train per day in each direction over the new connection with CSXT. The types of commodities anticipated to be transported by Hartwell over its proposed rail line include, but are not limited to: grain, soybean meal, dried distiller grains, potash, limestone, steel, plastic, wood chips, lumber, propane, granite rock, canola, canola oil, and manufactured goods (i.e., Caterpillar tractors).
- The area is surrounded by industrial land uses that support the granite industry in both granite processing and tool supply, as well as several rail and highway transportation corridors that provide access to and from the local business network. The Proposed Action includes the demolition of several abandoned industrial buildings on land owned by Hartwell at the former Century Granite Company and the installation of a second set of tracks at the existing at-grade West Tate Street Extended crossing.

- Construction of the proposed rail line would adversely affect historic properties within the area of potential effects at the former Century Granite Company that are eligible for listing on the National Register of Historic Places. OEA, in coordination with the Georgia State Historic Preservation Office and Hartwell, is preparing a Memorandum of Agreement to mitigate the adverse effects and satisfy the requirements of Section 106 of the National Historic Preservation Act.
- OEA's analysis of the Proposed Action indicates that there would be no significant impacts to transportation systems, land use, energy, air quality, noise, safety, biological resources, surface or groundwater resources, and minority or low-income populations based on review of the existing demographic data for the region and site reconnaissance.
- Hartwell and CSXT have agreed to enter into an interchange agreement. CSXT would move approximately 2,393 linear feet of track to better accommodate the proposed new connection with Hartwell. Construction would occur in CSXT's existing right-of-way and would entail moving less than half a mile of existing line approximately five feet. CSXT's proposed rail line modification is not subject to Board authorization. Because the Proposed Action would occur but for CSXT's realignment of the curve, the EA assesses it as a connected action. This realignment would have no significant impact on the human and natural environment.
- Based on the information provided from all sources to date and its independent analysis, OEA preliminarily concludes that construction and operation of Hartwell's proposed rail line would have no significant environmental impacts if the Board imposes and Hartwell implements the recommended mitigation measures set forth in the Draft EA. Therefore, an environmental impact statement process is unnecessary in this proceeding.
- OEA welcomes public comment on all aspects of the Draft EA during the comment period, which ends **July 31, 2014**. OEA will respond to comments received, will make final recommendations to the Board, including recommendations for mitigation, and will issue those recommendations in a Final EA. The Board will then issue its final decision addressing the Proposed Action and impose any environmental mitigation it determines appropriate.

EXECUTIVE SUMMARY

INTRODUCTION

On May 27, 2014, the Hartwell Railroad Company (Hartwell)¹ filed a verified notice of exemption (see Appendix A) with the Surface Transportation Board (Board), from the prior approval requirements of 49 U.S.C. § 10901 and pursuant to the class exemption at 49 C.F.R § 1150.36. Hartwell proposes to construct approximately 1,360 feet of track (i.e., the Proposed Action) that would connect the existing active lines of Hartwell and CSX Transportation, Inc. (CSXT) in Elberton, Elbert County, Georgia, on land within existing rail right-of-way owned either by Hartwell or CSXT (see Figure ES-1 and Figure ES-2).

The Board's Office of Environmental Analysis (OEA) is issuing this Environmental Assessment (EA) for public review and comment. The Board will consider the entire environmental record, comprising the Draft and Final EAs, public and agency comments submitted on the Draft EA, and OEA's environmental recommendations in making its final decision on Hartwell's proposal to construct and operate 1,360 feet of additional track. The Board will decide whether to approve, approve with conditions (which could include conditions designed to mitigate environmental impacts), or deny the Proposed Action.

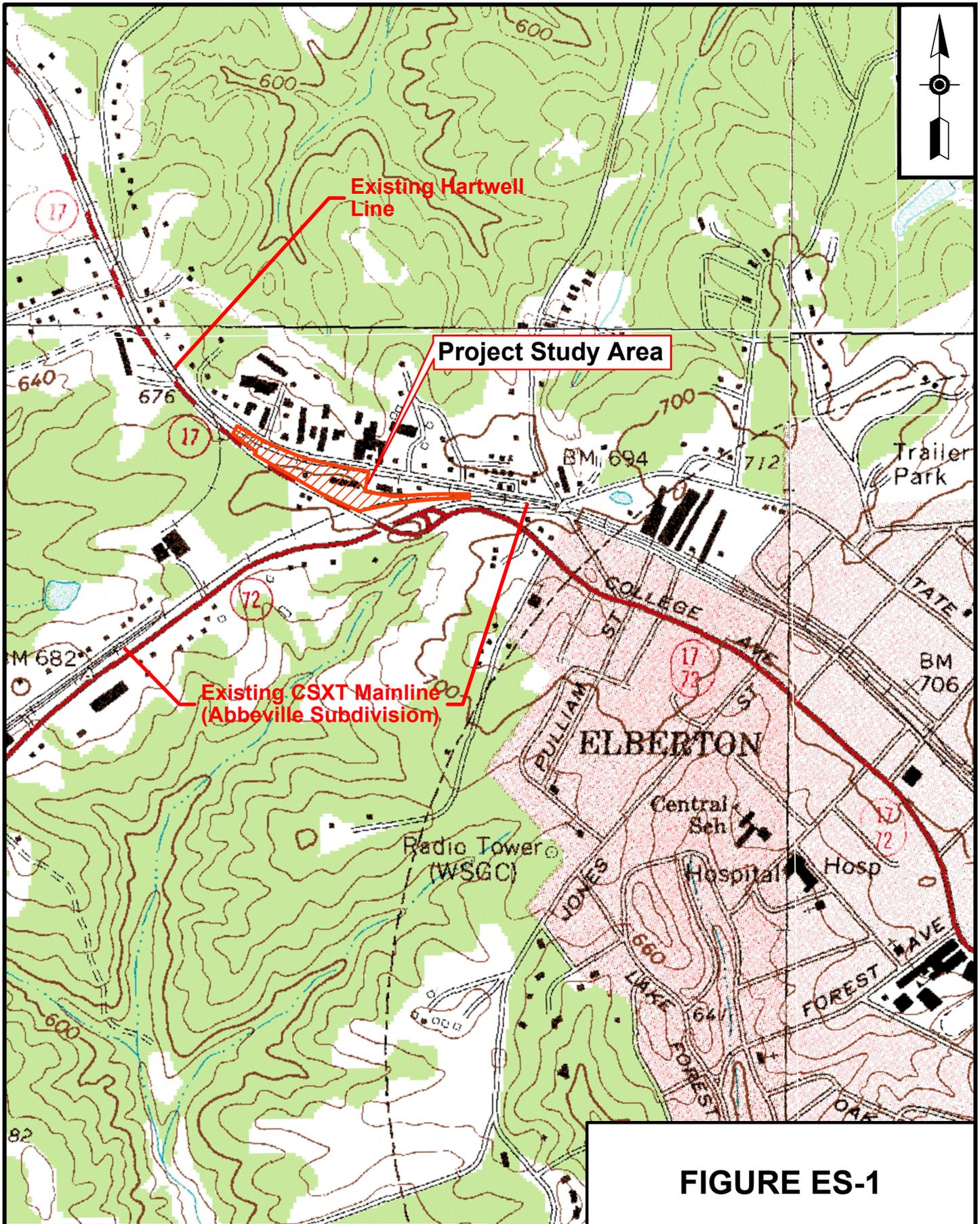
PURPOSE AND NEED

Hartwell has stated in its verified notice that the Proposed Action would re-establish a direct interchange between Hartwell's existing Toccoa-Elberton Line and CSXT's existing Abbeville Subdivision. The purpose and need for this proposed project is based on the current lack of direct connectivity between Hartwell's existing Toccoa-Elberton Line and CSXT's Abbeville Subdivision in Elberton, Georgia. Hartwell claims that the proposed project is needed in order to promote transportation efficiency and provide competitive transportation alternatives, which would benefit Hartwell's existing and future customers.

PROPOSED ACTION

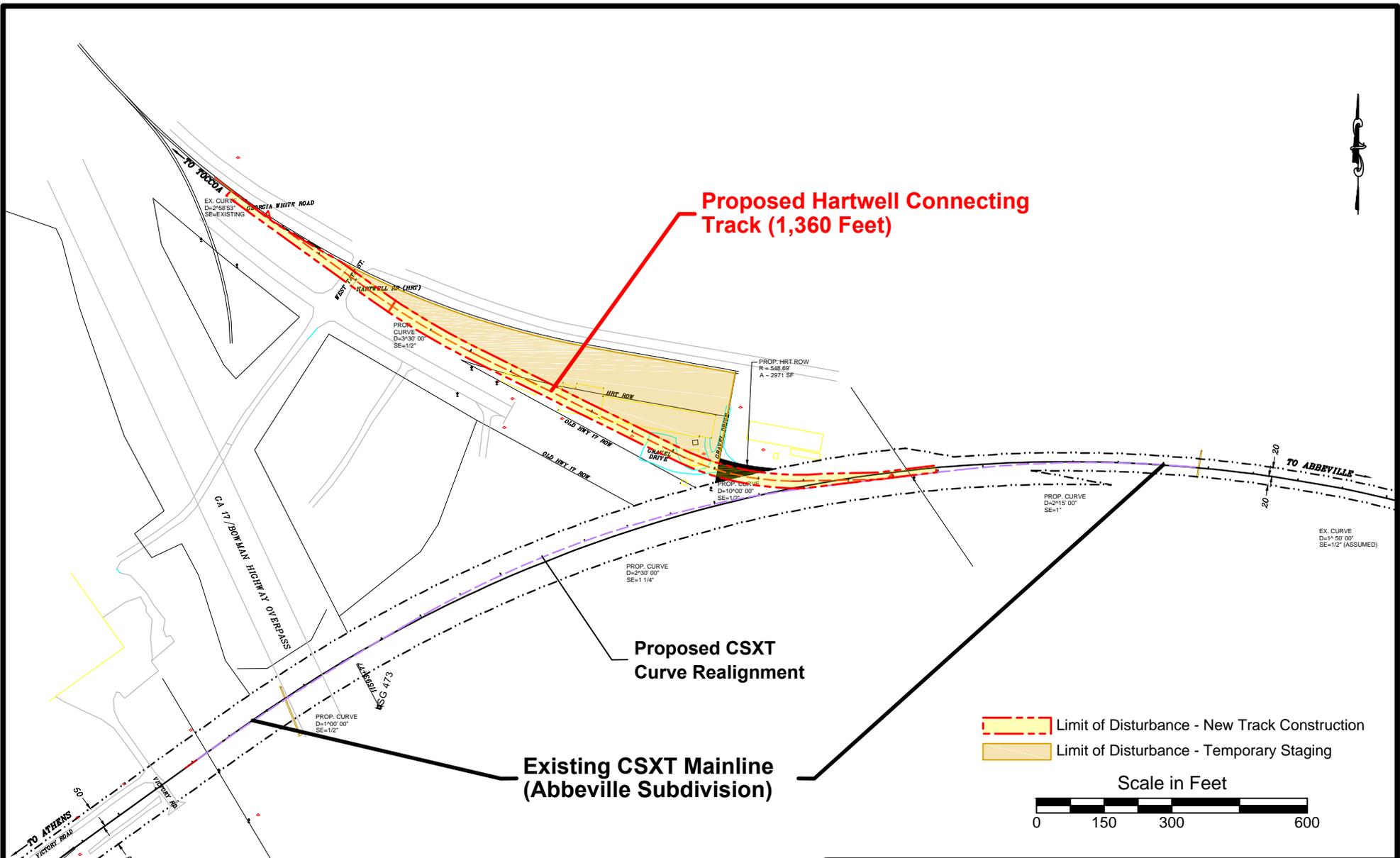
The Proposed Action involves the construction of approximately 1,360 feet of rail line just outside the corporate limits of the City of Elberton in Elbert County, Georgia to provide a direct connection between Hartwell's existing Toccoa-Elberton Line and CSXT's existing Abbeville Subdivision (see Figure ES-2). The proposed rail line construction also involves the demolition of several abandoned industrial buildings on property owned by Hartwell at the former Century Granite Company and the installation of a second set of tracks at the existing West Tate Street Extended grade crossing. The types of commodities anticipated to be transported by Hartwell over its proposed rail line include, but are not limited to: grain, soybean meal, dried distiller grains, potash, limestone, steel, plastic, wood chips, lumber, propane, granite rock, canola, canola oil, and manufactured goods (i.e., Caterpillar tractors).

¹ Hartwell is a Class III short line railroad operating out of Bowersville, Georgia. Hartwell operates over a former Norfolk Southern Railway Company (NSR) light-density line that extends from an interchange with NSR at Toccoa, through Lavonia and Royston, to Elberton, Georgia. The Hartwell Railroad Company is majority-owned and controlled by Bennie Ray Anderson, SR.



Source:
USGS 7.5' Quadrangles - Dewy Rose, Rock Branch,
Elberton West and Elberton East, Georgia

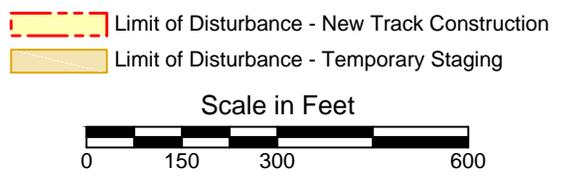
FIGURE ES-1
PROJECT LOCATION



Proposed Hartwell Connecting Track (1,360 Feet)

Proposed CSXT Curve Realignment

Existing CSXT Mainline (Abbeville Subdivision)



**FIGURE ES-2
HARTWELL/CSXT INTERCHANGE
ENGINEERING DESIGN PLAN**

<p>HDR HDR ENGINEERING, INC. 100 PEACHTREE STREET, N.E., STE. 400 ATLANTA, GEORGIA 30309-4533 (404) 815-1122</p>	<p>[CSX] ENGINEERING DEPARTMENT JACKSONVILLE, FLORIDA</p>
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ALTERNATIVES CONSIDERED

As part of its analysis, OEA considered the environmental impacts of the Proposed Action and the No-Build Alternative. The Proposed Action involves the construction of approximately 1,360 feet of rail line on land owned by either Hartwell or CSXT. The No-Build Alternative would involve taking no action; Hartwell would not construct its proposed connection to the CSXT Abbeville Subdivision, and its existing Toccoa-Elberton Line would continue to terminate at a dead-end stub several hundred feet east of the West Tate Street Extended grade crossing.

OUTREACH AND CONSULTATION

Hartwell has conducted early outreach and consultation with various local agencies, officials, and interested parties. Hartwell received feedback from many stakeholders in Elbert and Franklin Counties, as well as existing shippers serving the project area and those with future interests. The Elbert County Board of Commissioners (BOC) passed a resolution in support of the project.

In addition, OEA initiated early consultation with various federal, state, and local agencies and jurisdictions that might have an interest or regulatory oversight role in the project. To date, only one environmental issue associated with the proposed project has been identified. The Georgia Department of Natural Resources' Historic Preservation Division (State Historic Preservation Office or SHPO) identified the former Century Granite Company site as being eligible for listing on the National Register of Historic Places (National Register). In consultation with the SHPO, OEA has therefore determined that the Proposed Action would have an adverse effect on these resources and is in the process of developing a Memorandum of Agreement (MOA).

The MOA must be fully executed by all parties prior to issuance of the Board's decision. Project information developed to date indicates that there would be no significant impacts to transportation systems, land use, energy, air quality, noise, safety, biological resources, or surface or groundwater resources. Nor is it anticipated that there would be significant impacts on minority or low-income populations based on review of the existing demographic data for the region and site reconnaissance.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

The Draft EA analyzes the existing project area environment from a natural, cultural and socioeconomic perspective and evaluates the potential impacts of the Proposed Action in direct comparison to the No-Build Alternative. These environmental impacts are summarized in Table ES-1 and outlined below by resource area.

Land Use – As previously mentioned, the Proposed Action is located in Elbert County, Georgia, just outside the corporate limits of the City of Elberton (see Figure ES-1). Elbert County is a major international supplier of finished and unfinished granite products and is commonly referred to as the “Granite Capital of the World.” Accordingly, land uses in and around the project study area predominantly support the granite industry. The area also contains highway and rail corridors that provide access to and from the local business network. These corridors include Georgia White Road/West Tate Street Extended, the recently relocated Georgia State Route 17 (Bowman Highway), and the existing rail lines of the Hartwell Railroad and CSXT's Abbeville Subdivision. The Proposed Action is therefore consistent with area land uses.

**TABLE ES-1
ENVIRONMENTAL IMPACT SUMMARY TABLE**

RESOURCE/IMPACT CATEGORY	PROPOSED ACTION	NO-BUILD ALTERNATIVE
Demographics and Employment	Potential Positive Cumulative Impacts for the Region	No Potential Positive Cumulative Impacts for the Region
Community Facilities and Services	None	None
Land Use	Potential Positive Cumulative Impacts for the Region	No Potential Positive Cumulative Impacts for the Region
Topography	Minor Site Grading	None
Geology	None	None
Soils	0.94-acre of Earth Disturbance	None
Groundwater	None	None
Surface Water	None	None
Vegetation and Wildlife	0.34-acre of Vegetation Removal	None
Threatened and Endangered Species	None	None
Local Road Traffic/Grade Crossing Delay	3.64-Minute Traffic Delay (Twice Daily) at the West Tate St. Extended Grade Crossing	N/A
Rail Operations Safety	None	N/A
Estimated Annual Fuel Consumption (Gallons/Year)	1,607	N/A
Estimated Annual Mobile Source Air Emissions		
NO _x (Tons/Year)	0.32	N/A
CO (Tons/Year)	0.05	
HC (Tons/Year)	0.02	
PM (Tons/Year)	0.01	
Noise-Impacted Sensitive Land Uses	None	None
Cultural Resources	Adverse Effect	No Effect
Recreation	None	None
Environmental Justice	None	None

Socioeconomics – The Proposed Action would have no direct effect on area demographics or employment, as no homes or businesses would be displaced and no new employment opportunities would be created. Hartwell intends to construct the proposed rail line connection in less than 90 days and does not anticipate the need to hire any additional employees. Following construction, the new interchange is anticipated to have a positive effect on the area's economy, as many of the inefficiencies that currently exist for Hartwell and its customers in accessing CSXT's markets would be eliminated.

The Proposed Action has local support from businesses and government entities. The Elbert County BOC approved a Resolution in support of the Proposed Action, and the Development Authority of Elbert County, Elberton and Bowman believes the Proposed Action would be beneficial to the region's economy and the granite quarrying and manufacturing industry because rail transport is cost effective and has great market potential for the region as a whole. The Proposed Action would therefore have no significant impact on area socioeconomics.

Physiography – Topography in the project area is flat to gently rolling. The project area is situated approximately 700 feet above mean sea level at the highest point of the watershed. No substantive impacts are anticipated for site physiography other than the minor grading/earth disturbance activities needed to construct the proposed rail line. Impacts to soil resources are expected to be minimal because Hartwell has proposed to use best management practices as a voluntary mitigation measure.

Water Resources – The project area has no groundwater wells, or regulated wetlands, watercourses, or floodplains. Therefore, no impacts are anticipated as a result of the Proposed Action.

Wildlife – The project area is largely industrial and impacts to vegetation and wildlife are anticipated to be minimal. Approximately 0.34 acre (i.e., 500 linear feet of a 30-foot-wide corridor) of vegetation would be removed in order to construct the proposed rail line. The Georgia Department of Natural Resources, Wildlife Resources Division, has not identified any high-priority species or habitats within the project area and the U.S. Fish and Wildlife Service indicated that the project area is not likely to have any species that would be protected under the Endangered Species Act. No impacts are expected to occur to wildlife resources as a result of the Proposed Action.

Transportation and Safety – Hartwell maintains one active single-track grade crossing at West Tate Street Extended (see Figure ES-2). Hartwell's operations terminate at a dead-end stub several hundred feet east of this grade crossing. Hartwell uses this grade crossing to move railroad cars stored on the terminal section of track. As shown in Figure ES-2, the Proposed Action would involve the addition of a second set of tracks at this location in order to connect to CSXT's Abbeville Subdivision. Construction of the second set of tracks would impact local traffic operations on a short-term basis and thus require a temporary detour and/or lane restriction. The impact is expected to be minimal and of short duration (i.e., three to five days).

The more lasting impact would be associated with the operation of the proposed rail line and the subsequent vehicle delay that would be experienced at this grade crossing when in use by the two daily trains. Here, the estimated length of time that the West Tate Street Extended grade

crossing would be closed to vehicular traffic as a result of a train passing would be approximately 3 minutes and 38 seconds, two times per day (i.e., one inbound train and one outbound train), six days per week. This delay is expected to be minor because motorists can access Georgia State Route 17 at West Railroad Street (a half mile to the south) or at Georgia White Road (one mile to the north).

With regard to vehicular safety, the 1,360 feet of track that would be constructed has been designed for a 10 mph operating speed. This low rate of speed, combined with Hartwell’s placement of new railroad crossbucks following construction, and the mandatory sounding of the horn at the West Tate Street Extended grade crossing, should serve to address railroad safety issues associated with this project. As such, the Proposed Action is not anticipated to have substantive impacts on local safety.

Hazardous Materials Transport – Hartwell transports three to four rail car shipments of liquid propane gas per year to one customer on its line. This is the only hazardous material being carried. Hartwell complies with all applicable laws and regulations governing the transport of hazardous materials in that its rail cars are properly identified with placards when hazardous materials are being transported and its train crews are required to follow specific procedures/protocols in the event of a hazardous materials incident. The train crew is equipped and trained in the use of the U.S. Department of Transportation Emergency Response Guide for handling a hazardous materials release. In the event of an incident, the crew first reports the incident and summons help and then consults the Emergency Response Guide to determine the appropriate handling of a hazardous materials release until the First Responders arrive and take charge. Hartwell uses a third-party contractor to handle any required remediation.

Hartwell is not aware of any changes that would occur as a result of the Proposed Action. Therefore, the Proposed Action is not anticipated to have substantive impacts on hazardous materials releases, given Hartwell’s current procedures and practices and the low rate of speed of 10 mph that would occur at this connection.

Energy Resources and Air Quality – The effects on energy resources that would result from the operation of the Proposed Action were analyzed. Table ES-2 estimates the total annual diesel fuel requirement for the operation of trains over the proposed rail line. The analysis is based on an average fuel consumption of two locomotives per train operating over the proposed rail line with one roundtrip per day, six days per week.

**TABLE ES-2
ESTIMATED ANNUAL DIESEL FUEL CONSUMPTION**

OPERATION	GP38/GP40 LOCOMOTIVE FUEL ECONOMY (GALLONS/HOUR)	DAILY OPERATION TIME (HOURS)	ANNUAL FUEL CONSUMPTION (GALLONS/YEAR)
Roundtrip Transport via the Proposed Action (2,720 feet)	50.0	0.0515	1,607

Other than the estimated annual fuel requirement, the Proposed Action would result in negligible impacts on other energy resources. In terms of overall fuel usage, rail transport is considered to be the most fuel-efficient form of ground transportation. A freight train can move a ton of freight an average of 436 miles on a single gallon of fuel, which is four times the distance it could be moved by truck. Generally, freight trains are three to four times more fuel-efficient than trucks. Thus, the impact of the proposed rail line would be negligible on energy resources compared to truck transport of various commodities over that same distance.

The estimated annual air quality emissions for the Proposed Action were quantitatively evaluated using the U.S. Environmental Protection Agency’s (USEPA) emission standards for locomotives to calculate emissions. This analysis included calculating mobile source emissions for nitrogen oxides (NO_x), carbon monoxide (CO), hydrocarbons (HC), and particulate matter (PM) using USEPA’s standard emission factors. As shown in Table ES-3, the estimated annual mobile source emission of each criteria pollutant for the Proposed Action would be well below USEPA’s major emission source threshold of 100 tons/year for Title V permit applicability. Under these standards, the operation of trains over the proposed rail line would not result in significant adverse impacts to local air quality.

**TABLE ES-3
ESTIMATED ANNUAL MOBILE SOURCE EMISSIONS
OF CRITERIA POLLUTANTS
(TONS/YEAR)**

NO _x	CO	HC	PM
0.32	0.05	0.02	0.01

Noise – Construction of the proposed rail line would result in a temporary increase in local noise levels on a short-term basis (i.e., less than 90 days) due to the operation of construction equipment and machinery. However, given the industrial setting of the project area, these temporary, construction-related noise impacts are anticipated to be nominal. Noise impacts associated with the operation of trains are anticipated to be of no substantive concern to the adjacent industrial operations, given the Board’s eight train per day regulatory threshold would not be met. Consequently, a detailed noise analysis was not warranted for this project, and no further impacts are anticipated.

Cultural Resources – The Georgia SHPO determined that both the Hartwell railroad line and the CSXT Abbeville Subdivision are eligible for listing in the National Register under Criterion A for transportation and commerce, but that the Proposed Action would have no adverse effect on these active rail lines. The SHPO also determined that the Century Granite Company site was eligible for listing on the National Register under Criterion A for industry. Because the project involves the demolition of these industrial buildings, the Proposed Action would have an adverse effect on these resources, pursuant to Section 106 of the National Historic Preservation Act (NHPA). OEA, the SHPO, and Hartwell are in the process of preparing an MOA to mitigate this adverse effect. The MOA must be fully executed by all parties before the Board decision can be

issued. OEA has included a mitigation measure that would require Hartwell to comply with the terms of the MOA, as agreed to by the SHPO.

Recreation – No public parks or recreation areas were identified within or adjacent to the project study area. Therefore, implementation of the Proposed Action would have no impact on recreation.

Environmental Justice – One residential parcel exists in the project study area. The parcel was recently acquired by Hartwell for future use in railroad operations and has since been vacated. The remainder of the project study area consists of industrial land uses surrounded by transportation corridors. There are no other residential structures and no minority and/or low-income populations within the project area.

OVERVIEW OF OEA’S APPROACH TO ENVIRONMENTAL MITIGATION

In conducting the environmental review, OEA has taken a hard look at the environmental consequences of the Proposed Action and its alternatives. The potential environmental effects that OEA identified would be both beneficial and adverse. Chapters 2 and 3 of the Draft EA discuss in detail the affected environment and potential environmental impacts. OEA’s environmental analysis and its resulting mitigation recommendations reflect the variety and complexity of the environmental issues and offer a reasonable and feasible way of minimizing some of the environmental impacts discovered during the course of OEA’s environmental review. The mitigation in this Draft EA includes both mitigation developed by OEA and voluntary mitigation offered by Hartwell.

HARTWELL’S VOLUNTARY MITIGATION MEASURES

Pursuant to its notice of exemption, Hartwell has offered eight voluntary mitigation measures for the Board to consider. OEA has reviewed the voluntary mitigation measures and recommends that the Board, should the proposed rail line be approved, require Hartwell to comply with all of the voluntary mitigation measures submitted. These voluntary mitigation measures are set forth below.

VM 1. Hartwell shall implement the following best management practices to minimize potential erosion and sedimentation impacts during project construction:

- Minimize earth-clearing activities to the greatest extent practicable by disturbing only the area needed to physically construct the proposed rail line, required infrastructure, and staging area.
- Prior to initiating site clearing, install erosion and sediment control measures such as silt fencing, silt socks, mulch blankets, or a similar erosion-control measure along the limit of disturbance and at the inlet of any storm drain structures within the construction zone.
- Immediately stabilize any disturbed areas outside the rail corridor (i.e., temporary staging/equipment storage/material stockpiling areas) with an

appropriate permanent vegetative cover after the completion of construction activities.

- VM 2. Hartwell shall ensure that any herbicides used during track maintenance are registered with the U.S. Environmental Protection Agency and applied by licensed individuals with experience in using best practices to minimize any environmental and safety risks to the extent necessary for rail operations.
- VM 3. Hartwell shall coordinate the construction of the second set of tracks at the West Tate Street Extended grade crossing, including the temporary maintenance and protection of traffic measures to be implemented at this grade crossing (i.e., detour/temporary lane restriction), with the Elbert County Road Department and the appropriate local emergency response service providers (i.e., police, fire, and ambulance).
- VM 4. During the construction of the second set of tracks at the West Tate Street Extended grade crossing, Hartwell shall provide appropriate advance warning signs for the detour/temporary lane restriction in accordance with Georgia Department of Transportation standards.
- VM 5. For the West Tate Street Extended grade crossing, Hartwell shall provide and maintain a permanent sign prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with the Department of Transportation Federal Highway Administration's (FHWA) regulations at 23 C.F.R. Part 655.
- VM 6. Hartwell shall limit the speed of trains operating over the proposed rail line to 10 miles per hour.
- VM 7. Hartwell shall comply with all applicable Federal Railroad Administration rail operations safety requirements at 49 C.F.R. Parts 200-299.
- VM 8. Hartwell shall erect new railroad crossbucks at the West Tate Street Extended grade crossing in accordance with FHWA's Manual on Uniform Traffic Control Devices.

OEA'S PRELIMINARY RECOMMENDED MITIGATION

Based on available project information and comments received during scoping, OEA considered preliminary recommended mitigation measures (MM #) to address the potential environmental impacts of the Proposed Action in the following resource areas: safety, emergency response, and historic resources. These recommended mitigation measures would supplement Hartwell's proposed voluntary mitigation. OEA emphasizes that these measures are preliminary and welcomes public and agency comment during the comment period on all aspects of this Draft EA, including the environmental analysis. In order for OEA to assess comments effectively, please be specific about any desired mitigation and the reasons why the suggested mitigation would be appropriate.

- MM 1. Hartwell shall comply with all voluntary mitigation measures.

- MM 2. During operations, Hartwell shall comply with all hazardous materials regulations of the U.S. Department of Transportation (including the Federal Railroad Administration and the U.S. Pipeline and Hazardous Materials Safety Administration), the Department of Homeland Security (including the Transportation Security Administration), the U.S. Environmental Protection Agency, and the Occupational Safety and Health Administration. During construction and operations, Hartwell shall dispose of all materials that cannot be reused in accordance with applicable law.
- MM 3. In order to mitigate the adverse effect that the proposed undertaking would have on the former Century Granite Company buildings, a Memorandum of Agreement (MOA) shall be developed among the Surface Transportation Board's Office of Environmental Analysis, the Georgia Department of Natural Resources' Historic Preservation Division (State Historic Preservation Office or SHPO), and Hartwell Railroad Company for buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places in accordance with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470. The MOA shall incorporate the conditions as agreed to by the SHPO and amended by the parties in accordance with the following:
- A one- to two-page narrative of the history of the granite industry in Elberton.
 - Photographic documentation showing the overall appearance of the buildings.
 - A basic site plan (does not have to be to scale) and aerial photographs showing building locations. The site plan does not have to be drawn to scale, and an existing plat or documents from the county tax records that show the relative position of the building on the property may be used. In addition, a photograph taken from Google Earth will satisfy the aerial requirement for an aerial photo.