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OEA

SERVICE DATE – JANUARY 13, 2012

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, D.C. 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB-312 (Sub-No. 3X)**

**South Carolina Central Railroad Company, LLC - Abandonment Exemption - in  
Chesterfield and Darlington Counties, S.C.**

**BACKGROUND**

In this proceeding, South Carolina Central Railroad Company, LLC (railroad) filed a notice under 49 C.F.R. § 1152.20 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Chesterfield and Darlington counties, South Carolina (SC). The rail line proposed for abandonment is an approximately 12.8-mile segment between Milepost 319.89± near Society Hill and Milepost 332.48 in Cheraw, SC (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, the railroad would be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

Based on the railroad's environmental report and a review of aerial photography by the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA), the Line is located in a rural and partially forested area. The width of the right-of-way is generally 130 feet. According to the railroad, there are four bridges on the Line that are 50 years of age or older. Descriptions of the four bridges are provided below:

- Concrete pile and steel structure built in 1910, Milepost 320.0;
- Wood pile and panel structure (construction date unknown), Milepost 325.4;
- Concrete pile and steel structure with wood panels (construction date unknown), Milepost 329.5;
- Wood pile and panel structure (construction date unknown), Milepost 330.8.

No local rail traffic has moved on the Line during the last two years, and any overhead traffic on the Line could be rerouted over other lines. The last traffic to move on the Line was 2009. There would be no diversion rail traffic to motor carriage. The railroad is not aware of any hazardous waste sites on the Line.

The Line was originally constructed in 1853 by the Cheraw & Darlington Railroad and was rebuilt and extended after the Civil War. The railroad acquired the Line from CSX Transportation, Inc. in 1987.

## **ENVIRONMENTAL REVIEW**

The railroad submitted an environmental report that concludes the quality of the human environment would not be affected significantly because 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 Board's environmental rules [49 C.F.R. § 1105.7(b)].<sup>1</sup> OEA 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***

The railroad intends to remove rails, ties, and possibly the upper layer of ballast. The railroad intends to leave bridges, culverts and most ballast intact for trail use. Removal of material would be accomplished through the use of the right-of-way and existing public and private crossings. No new access roads are contemplated. The railroad does not intend to disturb any the underlying roadbed or perform any activities that would cause soil erosion or sedimentation. The railroad does not anticipate any dredging or placement of fill in wetlands or streams. The railroad also intends to implement appropriate measures to prevent or control spills of fuels, lubricants or any other pollutants.

The railroad does not believe that the proposed abandonment would be inconsistent with local or regional land use plans. The proposed abandonment is not located within the South Carolina Coastal Zone (<http://www.scdhec.gov/environment/ocrm/>).

The Natural Resources Conservation Service (NRCS) has not responded to the railroad's environmental report. However, because of the railroad's description of the limited nature of proposed salvaging activities, OEA does not anticipate that the proposed abandonment would affect resources protected under the Federal Farmland Protection Policy Act (7 U.S.C. § 4201). Nevertheless, OEA has provided a copy of this EA to the NRCS for review and comment.

The U.S. Fish and Wildlife Service (USFWS) Region 4 has not responded in writing to the proposed abandonment or to the railroad's statement that it does not believe that the proposed abandonment would have any impact on endangered or threatened species, or on any area designated as a critical habitat. Based on the information available to date, OEA is unable to

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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-312 (Sub-No. 3X).

determine whether any federally listed threatened or endangered species exist in the area of the proposed abandonment, which includes forests potentially capable of supporting such species. However, due to the limited scope and temporary nature of the proposed salvage activities, OEA believes that any potential impacts to such species, if present, could be appropriately mitigated through consultation with the USFWS pursuant to section 7 of the Endangered Species Act (16 U.S.C. § 1536). Accordingly, OEA recommends that a condition be imposed, requiring the railroad to contact the USFWS prior to beginning salvage activities to discuss potential impacts to any federally listed endangered or threatened species. The railroad shall report the results of this consultation to OEA in writing. Should any potential impacts be identified, the railroad shall consult with OEA and USFWS to develop appropriate mitigation measures. OEA has provided the USFWS South Carolina Field Office in Charleston with a copy of this EA for review and comment.

The U.S. Army Corps of Engineers – Charleston District (Corps) states in a December 8, 2011 letter that the proposed abandonment would not involve work in navigable waters nor the placement of fill material in wetlands or other waters of the United States. Therefore, the Corps concludes that Department of the Army permits under section 10 of the Rivers and Harbors Act (33 U.S.C. § 403) and section 404 of the Clean Water Act (33 U.S.C. § 1344) would not be required (Corps Project Reference No. SAC 2011-011287-4A).

The U.S. Environmental Protection Agency, Region 4 has not responded to the railroad's environmental report. OEA has provided the USEPA with a copy of this EA for review and comment.

## **HISTORIC REVIEW**

The railroad submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the South Carolina Archives and History Center (the State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). The SHPO replies in a December 14, 2011 letter (SC SHPO Project No.: 11-RD0253) that a portion of the Line is within the boundaries of the Welsh Neck-Long Bluff-Society Hill Historic District (Historic District), which is listed in the National Register of Historic Places (National Register). Based on the information provided by the railroad, the SHPO concludes that the proposed abandonment would have no effect on the Historic District.

Pursuant to the section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has 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 C.F.R. § 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>. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

OEA conducted a search of the Native American Consultation Database at <http://grants.cr.nps.gov/nacd/index.cfm> (visited December 28, 2011) to identify federally recognized tribes that may have ancestral connections to the project area. The database identified no tribes with connections to Chesterfield and Darlington counties.

## **CONDITIONS**

We recommend that the following condition be imposed on any decision granting abandonment authority:

1. South Carolina Central Railroad Company, LLC shall contact the U.S. Fish and Wildlife Service, South Carolina Field Office (USFWS) in Charleston prior to beginning salvage activities to discuss potential impacts to any federally listed endangered or threatened species. The railroad shall report the results of this consultation to the Board's Office of Environmental Analysis (OEA) in writing. Should any potential impacts be identified, the railroad shall consult with OEA and USFWS to develop appropriate mitigation measures.

## **CONCLUSIONS**

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended condition is imposed, 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 C.F.R § 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 C.F.R. § 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at 202-245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, D.C. 20423.

## **COMMENTS**

If you wish to file comments regarding this EA, please send an **original and one copy** to Surface Transportation Board, Washington, D.C. 20423, to the attention of Dave Navecky, who prepared this document. Environmental comments may also be filed electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB-312 (Sub-No. 3X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, 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 [david.navecky@stb.dot.gov](mailto:david.navecky@stb.dot.gov).

Date made available to the public: January 13, 2012.

**Comment due date: January 27, 2012.**

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment