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SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-55 (Sub-No. 697X)

CSX Transportation, Inc. – Abandonment Exemption –
in Glynn County, GA

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 seeking to abandon a line of railroad on its Southern Region, Jacksonville Division, Brunswick Subdivision, in Glynn County, Georgia. The rail line proposed for abandonment extends from Milepost AOB 534.36 to its terminus at Milepost AOB 534.67, a distance of 0.31 miles, and traverses U.S. Postal Service Zip Code 31520. CSXT indicates that no shippers have used the portion of this rail line in over five years and there is no overhead traffic.

The line is generally 100 feet wide and travels through the industrial and residential communities within the City of Brunswick, GA. CSXT notes that the line proposed for abandonment was originally acquired and constructed in 1931 by the Atlanta, Birmingham & Coast Railway Company (ABC), which through a number of acquisitions and mergers, became part of the newly-formed CSXT in 1986. CSXT notes that there are no federally granted rights-of-way. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA).

This is the second filing in which CSXT has sought abandonment authority regarding this rail line. Originally, CSXT filed a notice of exemption seeking abandonment authority (in CSX Transportation, Inc. – Abandonment Exemption – in Glynn County, Georgia, STB Docket No. AB-55 (Sub-No. 685X)). Because CSXT had used a portion of the line to realign locomotives for service to one customer, Glynn Iron & Metals (Glynn Iron), an active shipper located about 0.2 miles south of the area of the proposed abandonment, the Surface Transportation Board (Board issued a decision on May 14, 2009, rejecting CSXT's notice of exemption. CSXT has since provided more information in this filing that clarifies its traffic

movements, as discussed further into this EA. CSXT has filed updated environmental and historic reports with this petition.¹

On behalf of the City of Brunswick, CSXT has requested expedited review of this proceeding so that the City can construct a road across a segment of the rail line to provide access to the new Glynn Middle School, scheduled to open in early August 2009. The City of Brunswick has indicated that it would like to begin constructing the road no later than August 1, 2009, in order to complete road construction prior to the opening of the new school. CSXT notes that if the rail line proposed for abandonment remains in place, CSXT would have to construct (at great expense) two railroad crossings with gates and flashers to accommodate the increase in vehicular traffic at the new school.

We note that the Board has not yet ruled on CSXT's request for expedited treatment. The Board's Section of Environmental Analysis (SEA) is able to expedite this environmental review, particularly in light of the notice and information provided during the prior notice of exemption proceeding that occurred regarding this same line of railroad. Therefore, SEA is issuing this EA earlier than its usual timeframe in petition proceedings and is shortening the normal 30-day comment period provided in petition proceedings to 20 days. The 20 days should still provide adequate time for interested persons to comment on the EA and the measures SEA has taken to expedite the environmental review may be of assistance to the Board, should it determine to issue its decision at an earlier date.

ENVIRONMENTAL REVIEW

CSXT submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CSXT served the environmental report on a number of appropriate Federal, state, and local agencies as required by

¹ CSXT sent out new consultation letters to all interested parties in this proceeding and included the few response letters it has received back. CSXT also included response letters in connection with the prior notice of exemption, STB Docket No. AB-55 (Sub-No. 685X), from agencies that have yet to respond to this petition. SEA has determined that this is acceptable since the 0.31 mile segment of right-of-way at issue in STB Docket No. AB-55 (Sub-No. 685X) is the same 0.31 mile segment of right-of-way at issue here, and the concerns remain the same. However, SEA will make any necessary amendments in the Post EA if we learn of new issues or concerns.

the Board's environmental rules [49 CFR 1105.7(b)].² SEA has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to CSXT, there are no active shippers and no overhead traffic located on the 0.31 mile segment of rail line proposed for abandonment. Rather, CSXT states that it used the line for operating convenience to serve Glynn Iron until a derailment occurred in April 2008 that damaged a section of the rail line. According to CSXT, prior to the derailment, CSXT would use locomotives to pull rail cars destined for Glynn Iron past the switch to Glynn Iron, but south and outside of the portion of rail line proposed for abandonment (see attached figure at "Exhibit A"). CSXT would then disengage the locomotive from the rail cars and the locomotive would proceed north on the main line of the rail line, traveling through the 0.31 mile segment of rail line proposed for abandonment. The locomotive would then turn west and then south and travel on the "Runaround E" siding that would take the locomotive past the waiting rail cars destined for Glynn Iron. CSXT would then reconnect the locomotive with the waiting rail cars on the southward side and proceed to push the rail cars into Glynn Iron. Until April 2008, the operation followed the same procedure for trains entering and exiting Glynn Iron. However, since the derailment, CSXT now uses "Runaround W," located to the west of the proposed abandonment, to serve Glynn Iron.

As CSXT indicates, rail car traffic has not moved in the area of rail line proposed for abandonment for five or more years. Therefore, SEA has determined that 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, noise, or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way. As indicated earlier, approximately 150 feet of rail line has already been removed. Therefore, if abandonment authority is granted, CSXT plans to remove the remaining rail and cross-ties within

² The railroad's environmental and historic reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB-55 (Sub-No. 697X).

the 0.31 miles of rail line proposed for abandonment, but states that it would not disturb any of the underlying roadbed or perform any earth moving activities that would result in soil erosion and sedimentation to existing waterways.

SEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality.

CSXT states that the proposed abandonment would not affect the transportation of hazardous materials. Furthermore, CSXT states that it has no knowledge of hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way.

CSXT indicates that the proposed abandonment would have no adverse effect on public health and safety. Rather, abandonment of this rail line would likely enhance health and safety because school children and others would not need to cross an active rail line at-grade to access the new school.

The City of Brunswick commented that it strongly endorses the proposed abandonment so that it can extend First Avenue across a portion of the existing rail right-of-way to provide access to the new Glynn Middle School, scheduled to open on August 3, 2009. The City states that the proposed abandonment would have no environmental impact on land uses.

The United State Department of Agriculture, Natural Resources Conservation Service (NRCS) commented that the proposed abandonment would have no impact on prime or statewide farmland. Therefore, SEA has determined that no further consultation with NRCS is necessary.

The United States Fish and Wildlife Service (USFWS) commented that Federally listed species are not likely to occur in the area of the proposed abandonment. Therefore, SEA has determined that no further consultation with USFWS is necessary.

The United States Army Corps of Engineers (USACE) commented that salvage activities as previously described in this EA would be performed in a manner that would not impact any waters of the United States, and that a Section 404 permit under the Clean Water Act would not be required. Therefore, SEA has determined that no further consultation with USACE is necessary.

The Georgia Department of Natural Resources, Coastal Resources Division (CRD) has determined that the proposed abandonment would not likely have an impact on coastal uses or resources, and concurs with CSXT's Federal Consistency Determination of No Effects finding in its environmental report. Therefore, SEA has determined that no further consultation with CRD is required.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts. In addition to the parties of record on the Board's service list for this proceeding, SEA is providing a copy of this EA to the following agencies for review and comment: U.S. Environmental Protection Agency, the National Geodetic Survey, the National Park Service, the Georgia State Clearinghouse, and the Glynn County Community Development.

HISTORIC REVIEW

CSXT served the historic report on the Georgia Department of Natural Resources, Historic Preservation Division (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that the proposed abandonment would not affect any known archaeological sites or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register). We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the National Historic Preservation Act at 36 CFR 800.5(c) and 36 CFR 800.8, we have determined that the proposed abandonment will not adversely affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 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.

SEA conducted a search of the National Park Service's Native American Consultation Database <http://home.nps.gov/nacd/> to identify Federally recognized tribes which may have ancestral connections to the project area. SEA is required to consult with tribes pursuant to 36 CFR 800.3(f)(2) to seek their input regarding National Register eligible properties of traditional religious and cultural significance that may be affected by the proposed abandonment. The data base indicated that there are no listed tribes which may have an interest in the proposed abandonment.

CONDITIONS

SEA recommends that no environmental conditions be imposed by the Board on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes 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 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 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. 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 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPAGAC directly at (202) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Diana Wood, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-55 (Sub-No. 697X) in all**

correspondence, including e-filings, addressed to the Board. If you have any questions regarding this Environmental Assessment, please contact Diana Wood, the environmental contact for this case, by phone at (202) 245-0302, fax at (202) 245-0454, or e-mail at woodd@stb.dot.gov.

Date made available to the public: June 16, 2009.

Comment due date: July 7, 2009.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Anne K. Quinlan
Acting Secretary

Attachment