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SERVICE DATE - MAY 6, 1998

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB-55 (SUB-NO.561X)

**CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN CLARKE COUNTY, GEORGIA**

BACKGROUND

In this proceeding, CSX Transportation, Inc. has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line located between Milepost YYA-37.44 at East Athens and Milepost YYA-39.34 at Athens, a distance of approximately 1.9 miles in Clarke County, Georgia. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption 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

This rail line has been used to transport overhead shipments of fertilizer components and minimal local shipments of grain. In recent years, only the Clarke Milling Company, Inc. has shipped or received freight by rail over the line proposed for abandonment. In 1994 and 1995, Clarke Milling received 38 and 32 carloads of whole grain, respectively, via rail. However, since April 10, 1996, there have been no rail shipments either originating or terminating on the line proposed for abandonment. The right of way varies in width from 100 to 200 feet paralleling Oak Street. The line winds through the hilly suburban mixed use area between Athens and East Athens.

ENVIRONMENTAL REVIEW

The railroad has 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. The railroad has served the environmental report on a number of appropriate Federal, state, and local

agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included Athens Clarke County Planning Department, U.S. Fish and Wildlife Service, Brunswick, Georgia, Georgia Department of Natural Resources, Storm Water Unit, Army Corps of Engineers, Savannah District, and Georgia Department of Natural Resources, Historic Preservation Division.

CONDITIONS

The Georgia State Historic Preservation Officer (SHPO) has identified the entire 2.34 mile segment of branch line to be abandoned (consisting of the 1.9 mile segment specifically addressed in this application plus the .44 mile of previously abandoned track) as eligible for listing in the National Register of Historic Places. Additionally, the SHPO has indicated that elements of this rail line are located within the boundaries of the National Register-listed Athens Warehouse Historic District. Pending resolution of these issues, we recommend that the following condition be imposed on any decision granting abandonment authority: **CSX Transportation shall retain its interest in and take no steps to alter the historic integrity of the right-of-way of the 1.9 mile segment of branch line addressed in this application, until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.**

CSX Transportation has stated that a portion of the proposed branch line to be abandoned has been impacted by two Georgia Hazardous Site Inventory sites. Specifically, former operations of a nearby manufactured gas plant have impacted soil and ground water on approximately one-tenth of a mile on either side of Milepost YYA-39). Because of the presence of hazardous contamination on the right-of-way, we recommend that the following condition be imposed on any decision granting abandonment authority:

CSX Transportation shall not engage in any salvage activities or otherwise dispose of the line until the Surface Transportation Board is notified in writing by CSX Transportation that CSX Transportation has developed, in consultation with the U.S. Environmental Protection Agency, (EPA) Region 4:

(1)measures approved by EPA to ensure safe salvage operations;

(2)any necessary remediation procedures, such as removing or capping portions of the right-of-way, that

EPA and CSX Transportation have agreed upon.

Written notification should be addressed to Elaine K. Kaiser, Chief, Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, NW, Suite 500, Washington, DC 20423-0001. Following receipt and consideration of the EPA approved plan the Board will issue such further order regarding salvage and disposition as may be appropriate.

CONCLUSIONS

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 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 the petition for 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 Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to 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, Washington, DC 20423-0001, to the attention of Scott Decker, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub-No. 561X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 565-1531.

Date made available to the public: **May 1, 1998.**
Comment due date: **June 1, 1998.**

By the Board, Elaine K. Kaiser, Chief, Section of Environment Analysis.

Vernon A. Williams
Secretary

MAP HAS TO BE SCANNED
