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SEA

SERVICE DATE – APRIL 3, 2007

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-55 (Sub-No. 672X)

**CSX Transportation, Inc. - Abandonment Exemption -
In Manatee County, FL**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) 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 abandonment of an approximately .66-mile line of railroad in Manatee County, Florida. The rail line extends between milepost SWC 871.0 and the end of the track at milepost 871.66. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

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 the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)].¹ The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

CSXT states that no local traffic has moved over the line for at least two years and that any overhead traffic can be rerouted. Accordingly, 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

¹ 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. 672X).

diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

CSXT states that the line is located in the City of Palmetto. The right-of-way extends approximately 20 feet from the centerline of track, and the proposed abandonment would allow for the elimination of five public road crossings.

According to CSXT, abandonment activities would include the removal of rail, crossties, and possibly the upper layer of ballast. Salvage would be performed within the right-of-way, and the removal of material would be accomplished by utilizing existing public and private crossings. CSXT further states that no new access roads are contemplated. Crossties and other debris would be transported away from the line and would not be discarded along the right-of-way, in streams or wetlands, or along the banks of waterways. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil. In addition, CSXT does not anticipate any dredging or use of fill in the removal of the track material. CSXT states that it would take precautions during salvage operations to prevent or control spills from fuels, lubricants, or other pollutant materials from entering any waterways. Accordingly, we will recommend that a condition be imposed requiring CSXT to conduct salvage activities in the manner it has proposed.

The National Geodetic Survey (NGS) stated that no geodetic station markers would be affected by the proposed abandonment. Accordingly, no mitigation measures were recommended by NGS.

The Natural Resource Conservation Service (NRCS) submitted comments stating that the soils on and adjacent to the rail right-of-way are not considered prime agricultural land. Accordingly, no mitigation measures were recommended by NRCS.

The Florida Department of Environmental Protection (Florida DEP) submitted comments stating that the proposed activities are consistent with the Florida Coastal Management Program. Florida DEP stated that, if land disturbance is minimized during salvage activities, a state environmental permit will not be required. As described above, CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil.

The U.S. Fish and Wildlife Service (USFWS) submitted comments stating that the proposed project will not affect Federally endangered or threatened species, designated critical habitat, or National Wildlife Refuges. Accordingly, no mitigation measures were recommended by USFWS.

The U.S. Environmental Protection Agency's Region 4 Office (USEPA) has not submitted comments regarding this proposed abandonment. Accordingly, we have

included USEPA on the service list for this proceeding to ensure that they receive a copy of this EA.

The U.S. Army Corps of Engineers' Jacksonville District (Corps) has not submitted comments regarding this proposed abandonment. However, CSXT states that it is not aware of any designated wetlands or 100-year flood plains within the proposed project area. Moreover, the railroad does not intend to appreciably remove or alter the contour of the roadbed underlying the rail line, and disturbed areas will be limited to the right-of-way wherever possible. CSXT also has no plans to undertake in-stream work or dredge and/or fill any materials in connection with the proposed abandonment. Accordingly, we have included the Corps' Jacksonville District on the service list for this proceeding to ensure that they receive a copy of this EA.

CSXT indicates that there are no hazardous waste sites located on the line proposed for abandonment. There was a hazardous material release on the line in 2000. According to CSXT, a high-rail boom truck attempting to mount the tracks at the 5th Avenue West crossing had a hydraulic oil filter rupture that released approximately five gallons of hydraulic oil. CSXT states that the release was cleaned with sorbent pads.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts. SEA is providing a copy of this EA to the following groups and agencies for review and comment: USEPA; Florida DEP; and Corps.

Additional Comments

The City of Palmetto submitted comments stating that the proposed abandonment is consistent with existing land use plans.

HISTORIC REVIEW

CSXT served the historic report to the Florida Department of State's Division of Historical Resources (the State Historic Preservation Office or SHPO), pursuant to 49 CFR 1105.8(c). According to CSXT, there are no CSXT-owned structures on the line that are 50 years old or older. CSXT also states that the right-of-way was disturbed during construction of the line by cuts and fill; accordingly, CSXT states that any archaeological resources that may have been located in the proposed project area would have been affected at that time.

The SHPO has not completed its review of the proposed abandonment. Accordingly, we will recommend a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process has been completed.

SEA conducted a search of the Native American Consultation Database at <http://www.nps.gov/nacd/> to identify Federally recognized tribes that may have ancestral connections to the project area. The database indicated that the following tribes may have an interest in the proposed abandonment: 1) the Seminole Nation of Oklahoma and 2) the Seminole Tribe of Florida, Dania Big Cypress, Brighton, Hollywood and Tampa Reservations. Accordingly, SEA is sending a copy of this EA to these tribes for their review and comment.

CONDITIONS

SEA recommends that the following environmental conditions be placed on any decision granting abandonment authority:

1. CSX Transportation, Inc. shall conduct salvage activities in the following manner:
1) perform salvage activities within the right-of-way and utilize existing public and private crossings; 2) transport crossties and other debris away from the right-of-way, streams, wetlands, and banks of waterways; 3) avoid disturbing the underlying roadbed and any activities that would cause sedimentation or erosion of the soil; 4) avoid dredging or use of fill in the removal of the track material; and 5) take precautions during salvage operations to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.
2. CSX Transportation, Inc. (CSXT) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. CSXT shall report back to the Section of Environmental Analysis regarding any consultations with the Florida Department of State's Division of Historical Resources (State Historic Preservation Office or SHPO) and any other Section 106 consulting parties. The railroad may not file its consummation notice or initiate salvage activities (including removal of the tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended conditions are 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), 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 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) 245-0230, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Christa Dean who prepared this EA. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-55 (Sub-No. 672X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Christa Dean the environmental contact for this case, by phone at (202) 245-0299, fax at (202) 245-0454, or e-mail at christa.dean@stb.dot.gov.

Date made available to the public: April 3, 2007.

Comment due date: April 18, 2007.

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

Vernon A. Williams
Secretary

Attachment