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SEA

SERVICE DATE – MARCH 6, 2007

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB 1000X**

**Georgia Southwestern Railroad, Inc. --  
Abandonment Exemption -- In Barbour County, Alabama**

**BACKGROUND**

In this proceeding, Georgia Southwestern Railroad, Inc., (GSR) has filed a petition under 49 U.S.C. 10502 for an exemption from 49 U.S.C. 10903 for abandonment of approximately 4.54 miles of rail line (Line) located between milepost H-334.46, at Eufaula and milepost H-339.00 near Eufaula in Barbour County, AL. The Line proposed for abandonment traverses U.S. Postal Zip Code 36027. GSR states that the Line does not contain any Federally granted rights-of-way.

A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the abandonment is approved, GSR states that it intends to remove the remaining rail, track material, and crossties. Following salvage, GSR states that it is interested in reaching an agreement with the City of Eufaula for rail-banking of the right-of-way and that the single bridge structure would remain in place and would be incorporated into any recreational trail.

**ENVIRONMENTAL REVIEW**

GSR has submitted an environmental and historic report that concludes that the quality of the human environment would not be significantly affected as a result of the abandonment or any post-abandonment activities. GSR has served the environmental and historic report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules at 49 CFR 1105.7(b). The Board's Section of Environmental Analysis (SEA) has investigated and reviewed the record in this proceeding.

GSR states that no local rail traffic has moved over the stub-ended line in at least seven years. Furthermore, because the Line is stub-ended, GSR states that it is incapable of handling overhead rail traffic.

GSR states that the right-of-way, which is approximately 100 feet in width, begins at milepost H-334.46 and runs north across the Chewalla Creek and then in a northwesterly direction to its end at milepost H-339.00. GSR further states that the City of Eufaula (City) has been seeking to rail-bank the Line for several years. GSR recently acquired the Line and is now attempting to expeditiously abandon the Line in order to accommodate the City's need to

rail bank the Line before grant funds expire. GSWR has also indicated that there is only one structure, a bridge, associated with the proposed abandonment that is 50 years old or older. Although GSWR believes the bridge to be of common design and construction, it would remain in place and be incorporated into any rail-banking agreement reached with the City.

GSWR states that the abandonment, as proposed, would not result in adverse impacts to endangered or threatened species or areas designated as critical habitat. Furthermore, GSWR states that it does not believe that any wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the abandonment.

In a letter dated December 8, 2006, Mr. William Pearson, U.S. Fish and Wildlife Service (FWS), states that that no endangered or threatened species or critical habitat are known to exist in the project area. The FWS further states that the project as described would have no significant impact on fish and wildlife resources.

In a letter dated December 7, 2006, the Natural Resources Conservation Service states that the abandonment, as proposed, would not adversely affect prime farmland.

GSWR believes proposed abandonment would be consistent with all applicable water quality standards. Moreover, because GSWR would not engage in any in-stream salvage activities, the proposed abandonment would not require the issuance of any permits under Section 402 of the Clean Water Act.

In a letter dated December 13, 2006, Ms. Cindy House-Pearson, Regulatory Project Manager, Mobile Field Office, U.S. Army Corps of Engineers, (Corps), indicates that the abandonment, as proposed, would not require any permits from their office.

However, in a letter dated December 5, 2006, Ms. Laura Ming, Alabama Department of Environmental Management, states that the proposed salvage would require a National Pollutant Discharge Elimination System (NPDES) permit.

Therefore, SEA will recommend that the Board impose a condition requiring GSWR to consult with the Alabama Department of Environmental Management regarding the need to secure a NPDES permit prior to the initiation of any salvage activities.

GSWR states that there are no reasonable alternatives to the proposed abandonment.

## **HISTORIC REVIEW**

GSWR submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Alabama Historical Commission (State Historic Preservation Office or SHPO) pursuant to 49 CFR 1105.8(c). In a letter dated December 13, 2006, the SHPO has submitted comments in response to the historic report stating that, based on the available information, no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected within the right-of-way, which has been identified for the historic review as the "Area of Potential Effect" of the proposed

abandonment. The SHPO further states that should artifacts or archaeological features be encountered during salvage activities, GSWR must cease all salvage work and contact the SHPO's office immediately.

Therefore, SEA recommends that in the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during the railroad's salvage activities, the railroad will immediately cease all work and notify the Section of Environmental Analysis (SEA), interested Federally recognized tribes, and SHPO pursuant to 36 CFR 800.13(b).

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.4(d)(1), we have determined, in consultation with the SHPO 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 CFR 800.11(d), consists of the GSWR'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 web site at <http://www.stb.dot.gov>.

SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally recognized tribes that may have ancestral connections to the project area. The database indicated that there is a single tribe, the Muscogee (Creek) Nation of Oklahoma, that may have an interest in the proposed abandonment. SEA will ensure that the tribe receives a copy of this EA for its review and that the tribe is added to the service list for this proceeding.

In an e-mail dated February 6, 2007, Mr. Simon Monroe, U.S. Department of Commerce, National Geodetic Survey (NGS) stated that seven geodetic station markers may be located in the area of the proposed abandonment.

Therefore, SEA will recommend that the Board impose a condition requiring GSWR to notify the NGS at least 90 days prior to the initiation of any salvage activities.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts.

## **CONDITIONS**

1. To ensure appropriate consideration of the National Pollution Discharge Elimination System (NPDES) requirements, the Georgia Southwestern Railroad, Inc., shall consult with Alabama Department of Environmental Management prior to commencement of any salvage activities and shall comply with the reasonable NPDES requirements.
2. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during the railroad's salvage activities, the Georgia Southwestern Railroad, Inc., will immediately cease all work and notify the Section of Environmental Analysis (SEA), interested Federally recognized tribes, and the Alabama

Historical Commission (SHPO) pursuant to 36 CFR 800.13(b). SEA shall then consult with the SHPO (or THPO), interested Federally recognized tribes, the railroad, and any other consulting parties, if any, to determine appropriate mitigation measures, as necessary.

3. The Georgia Southwestern Railroad, Inc., shall notify the National Geodetic Survey (NGS) at least 90 days prior to beginning salvage activities in order to plan for the possible relocation of the seven geodetic station markers identified by NGS.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, that discontinuance of service on the Line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed discontinuance would include denial (and therefore no change in operations) or 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**

GSWR states that the Line is suitable for other public uses.

A request containing the requisite four-part showing for imposition of a public use condition 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).

GSWR states that the City of Eufaula, AL, has been seeking to rail-bank the Line for several years. GSWR, as the new owner of the Line, is attempting to expeditiously abandon the Line in order to accommodate the City's need to rail-bank the Line before grant funds expire.

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Troy Brady, who prepared this environmental assessment. **Please refer to STB Docket No. AB- 1000X in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Troy Brady at (202) 245-0301.

Date made available to the public: **March 6, 2007.**

**Comment due date: April 6, 2007.**

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

Vernon A. Williams  
Secretary

Attachment