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SERVICE DATE - JANUARY 2, 2004

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-863X

City of Venice – Abandonment Exemption – in Venice, IL and St. Louis, MO

BACKGROUND

In this proceeding, City of Venice filed a notice of exemption under 49 CFR 1152 in connection with the abandonment of a line of railroad in St. Louis, Missouri and Venice, Illinois. The rail line proposed for abandonment extends two miles from milepost 0.55 near Branch Street Yard in St. Louis and milepost 0.00 at the state line at Venice, and milepost 0.00 to milepost 1.45 at McKinley Junction, Illinois. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, City of Venice will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

City of Venice states that there has been no local or overhead traffic on the line for ten years. The line passes through an urban area and crosses over the Mississippi River and several unnamed waterways. The right-of-way is generally 100 feet wide.

City of Venice states that it acquired the line from Illinois Terminal Railroad (ITR) in 1958. City of Venice and ITR formed an agreement in which ITR would have exclusive rail use over a portion of the McKinley Bridge and the railroad approaches. City of Venice used the McKinley Bridge as well, as a toll bridge for motor vehicles. Norfolk and Western Railroad (NWR) became ITR's successor in interest for the rail uses on the line. NWR subsequently abandoned its common carrier obligation on the line in a prior abandonment proceeding.¹

According to City of Venice, the McKinley Bridge would be suitable for upgraded highway use, and the entire line could potentially be used for future light rail purposes. The bridge is currently unsafe for motor vehicle use and the wooden trestles of the rail approaches are too deteriorated to support rail traffic without extensive reconstruction. The Illinois Department of Transportation (IDOT) and Missouri Department of Transportation are planning to remodel and upgrade the bridge and the motor vehicles approaches to the bridge, including the creation of a bicycle and pedestrian pathway. City of Venice plans to convey the bridge to IDOT following

¹ See Docket No. AB-290 (Sub-No. 139X) – Norfolk and Western Railway Company – Abandonment Exemption – in Madison and St. Clair Counties, IL, et al.

abandonment and the rest of the line to Madison County Transit (pursuant to a Notice of Interim Trail Use) for public purposes.

ENVIRONMENTAL REVIEW

City of Venice 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. City of Venice served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The U.S. Environmental Protection Agency (EPA), Region 5, has submitted comments indicating that the U.S. Fish and Wildlife Service (FWS) should be consulted regarding potential impacts to endangered species or critical habitat and that the Illinois Historic Preservation Agency (Illinois SHPO) should be consulted regarding potential impacts to the Venice High Line elevated structure. City of Venice has indicated that both FWS and the Illinois SHPO have been consulted, though FWS has not yet provided comments. The Illinois SHPO's comments are discussed below. Both of these agencies will be sent a copy of this environmental assessment.

EPA also submitted comments expressing concern regarding the removal and salvage methods of the rails and roadbed material, the final disposition of crossties preserved with creosote, procedures for storing and fueling of removal equipment, procedures for the prevention and/or control of spills from removal equipment, and soil erosion and stormwater runoff mitigation practices to be utilized during salvage activities. Accordingly, we will recommend a consultation condition requiring that City of Venice contact EPA, Region 5, prior to commencement of any salvage activities on this project.

The National Geodetic Survey (NGS) has submitted comments stating that 1 geodetic station marker has been identified that may be affected by the proposed abandonment, and requests that NGS receive at least 90 days notification in advance of any activities that will disturb or destroy the marker.

HISTORIC REVIEW

City of Venice submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. City of Venice served the report on the Illinois SHPO and the Missouri Department of Natural Resources (Missouri SHPO) pursuant to 49 CFR 1105.8(c).

The Illinois SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment.

The Missouri SHPO initially submitted comments stating that the McKinley Bridge is eligible for inclusion in the National Register and the proposed abandonment could have an adverse effect on the historic fabric of the McKinley Bridge. City of Venice then submitted additional information to the Missouri SHPO regarding the proposed abandonment and potential post-abandonment rehabilitation and use of the McKinley Bridge by IDOT. The Missouri SHPO reviewed the additional information provided and concluded that the proposed abandonment and potential subsequent renovation of the McKinley Bridge would have no adverse effect on the bridge.

We have reviewed the report and the information provided by the Illinois SHPO and the Missouri SHPO and concur with their 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(e), consists of the City of Venice's historic report, all relevant correspondence, and this environmental assessment, which have been provided to the Illinois SHPO and the Missouri SHPO and made available to the public.

CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment authority:

1. **City of Venice shall consult with the National Geodetic Survey and provide the National Geodetic Survey with 90 days notice prior to disturbing or destroying any geodetic station markers.**
2. **To address the concerns raised by the U.S. Environmental Protection Agency, Region 5, City of Venice shall, prior to commencement of any salvage activities on this project, contact the U.S. Environmental Protection Agency, Region 5 (Kathleen Kowal (312) 353-5206), concerning removal and salvage methods, final disposition of crossties preserved with creosote, procedures for storing and fueling of removal equipment, procedures for the prevention and/or control of spills, and stormwater runoff mitigation practices to be utilized during salvage activities.**

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, 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 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 Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-863X in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Rini Ghosh, the

environmental contact for this case by phone at (202) 565-1539, fax at (202) 565-9000, or e-mail at ghoshr@stb.dot.gov.

Date made available to the public: **January 2, 2004**

Comment due date: January 16, 2004.

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

Vernon A. Williams
Secretary

Attachment

STB DOCKET NO. AB - 863 X

