

34813

SERVICE DATE - JULY 12, 2004

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-55 (Sub-No. 647X )**

**CSX Transportation, Inc. - Abandonment Exemption - In Darlington County, SC**

**BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT or railroad) filed a notice under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad in Darlington County, South Carolina (SC). The rail line proposed for abandonment extends from Milepost SJ 306.13 (V.S. 387+15) to Milepost SJ 307.39 (V.S. 465+62.5) (the subject rail line). The total distance is approximately 1.49 miles. Upon receipt of abandonment authority, CSXT would reclassify the subject rail line as industrial and sell it to Progress Energy for potential future use in switching operations. Therefore, salvaging operations, such as the removal of rails, crossties, and ballast, would not occur. A map depicting the rail line in relationship to the area served is appended to this report.

**DESCRIPTION OF THE LINE**

The land use / land cover type in the vicinity of the right-of-way (ROW) is predominantly rural. According to CSXT, the width of the ROW is approximately 50 feet from the centerline of the track. Local and overhead traffic have not moved over the subject line for the past two years. Coal was the principal commodity previously moved on the subject line.

The subject line was built by the South Carolina Western Railway (SCWR) in 1911. SCWR was acquired by the Seaboard Air Line Railroad Company (SAL) in 1915. In July 1967, the Atlantic Coast Railroad Company and SAL merged to form the Seaboard Coast Line Railroad Company. In December 1982, the Louisville and Nashville Railroad Company merged with the Seaboard Coast Line Railroad Company to become the Seaboard System Railroad, Inc. The Seaboard System Railroad changed its name to CSX Transportation, Inc. in 1986. According to the railroad, there are no CSXT-owned structures on the subject line.

## **ENVIRONMENTAL REVIEW**

The railroad submitted environmental and historical reports that indicate that the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities. The railroad served these reports 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)]. The Board's Section of Environmental Analysis (SEA) reviewed and investigated the record in this proceeding.

The U.S. Department of Agriculture, Natural Resources Conservation Service (formerly the Soil Conservation Service) had not responded to the railroad's environmental report at the time this Environmental Assessment (EA) was prepared. However, because the subject rail line would not be salvaged and would be sold to Progress Energy for future rail use, the proposed abandonment would not be expected to impact prime agricultural land.

Because traffic has not moved on the subject rail line for at least two years, the proposed abandonment would not be expected to impact the development, use and transportation of recyclable commodities, or result in the diversion of rail traffic to truck traffic that could result in impacts to air quality or the local transportation network. The subject rail line, however, would be available for use by Progress Energy in switching operations and these operations would likely entail the movement of coal.

The U.S. Army Corps of Engineers - Charleston District had not responded to the railroad's environmental report at the time this EA was prepared. However, because salvaging, construction or other similar activities are not anticipated, the proposed abandonment would not be expected to impact waters of the U.S. including wetlands.

The U.S. Fish and Wildlife Service - Charleston, SC Office had also not responded to the railroad's environmental report at the time this EA was prepared. However, because salvaging, construction or other similar activities are not anticipated, the proposed abandonment would not be expected to impact Federally listed threatened and endangered species or their habitat.

The U.S. Environmental Protection Agency - Region 4 stated that the proposed abandonment would be subject to the requirements of the Clean Water Act if salvaging, grading or other land-disturbing activities would occur. However, because the subject rail line would not be salvaged and would be sold to Progress Energy for future rail use, the proposed abandonment would not be expected to impact water resources or require permits under the Clean Water Act.

The South Carolina Department of Health and Environmental Control stated that the proposed abandonment would be subject to the requirements of the Clean Water Act and related state statutes if the placement of fill into waters and wetlands, grading, or other land-disturbing activities would occur. However, because the subject rail line would not be salvaged and would be sold to Progress Energy for future rail use, the proposed abandonment would not be expected

to impact water resources or wetlands, or require permits under the Clean Water Act or related state statutes.

The South Carolina Department of Archives and History (i.e., State Historic Preservation Office or SHPO) had not responded to the railroad's historic report at the time this EA was prepared. Therefore, pending completion of the SHPO's assessment, SEA recommends a condition to ensure compliance with the National Historic Preservation Act, 16 U.S.C. 470f.

## **CONDITIONS**

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

1. The railroad shall retain its interest in and take no steps to alter the historic integrity of the right-of-way until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

## **CONCLUSIONS**

Subject to the recommended conditions, and based on the information provided from all sources to date, we conclude that, as currently proposed, 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 of the rail line, the ROW 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 Surface Transportation 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 Surface Transportation Board, with a copy to the railroad, within 20 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of ROWs 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 the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **ENVIRONMENTAL 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 David Navecky, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to STB Docket No. AB-55 (Sub-No. 647X) in all correspondence addressed to the Board.** Questions regarding this environmental assessment should be referred to David Navecky, the environmental contact for this case, by phone at 202-565-1593, or by email at [naveckyd@stb.dot.gov](mailto:naveckyd@stb.dot.gov).

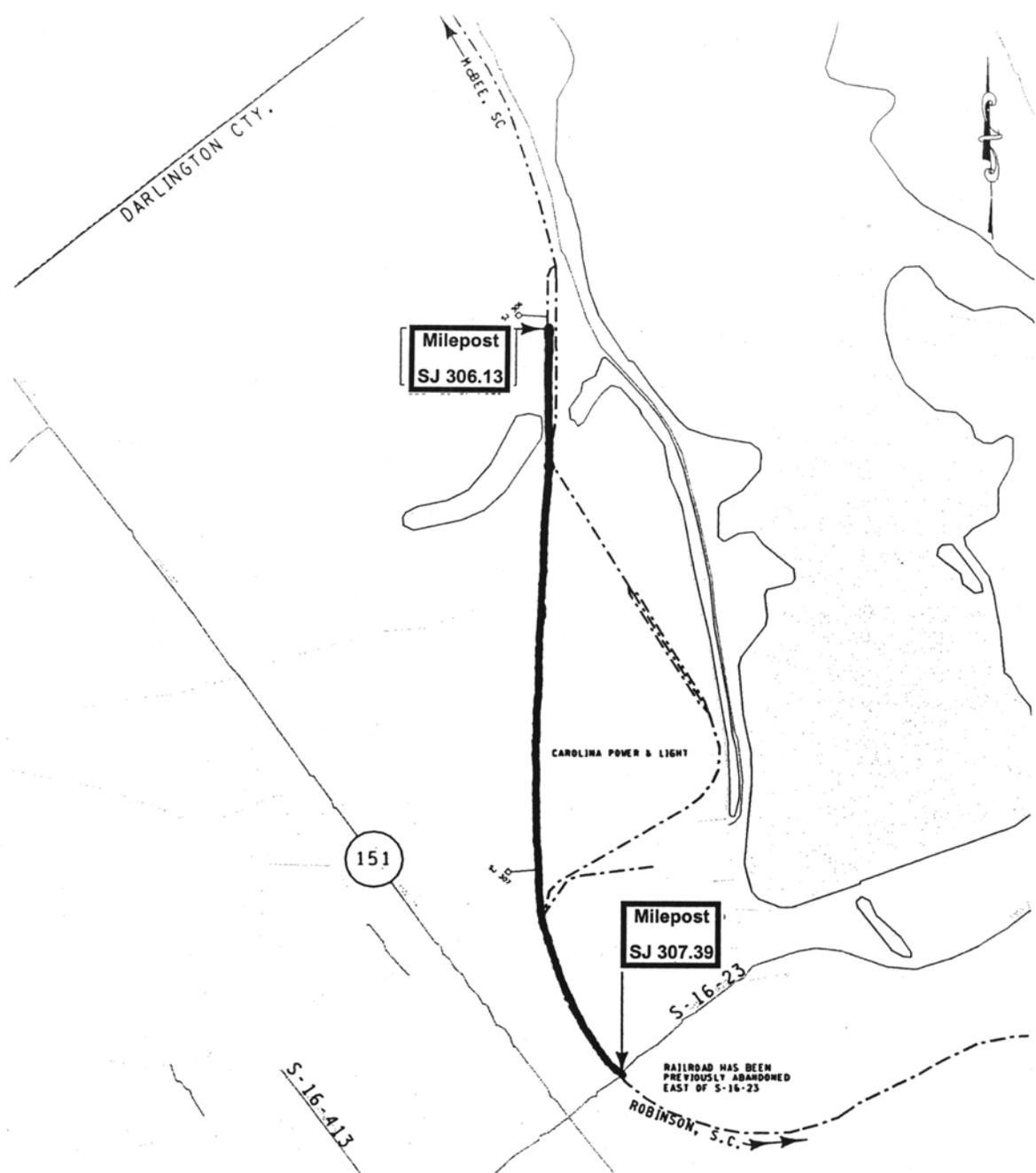
Date made available to the public: July 12, 2004.

Comment due date: **July 26, 2004.**

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

Vernon A. Williams  
Secretary

Attachment



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