

SERVICE DATE - MAY 28, 2002**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423****ENVIRONMENTAL ASSESSMENT****STB Docket No. AB-55 (Sub-No. 609X)****CSX Transportation, Inc. - Abandonment Exemption -
In Montgomery County, Ohio****BACKGROUND**

In this proceeding, CSX Transportation, Inc. (CSXT) 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 a portion of its Midwest Region, Louisville Division, Toledo Subdivision, extending between the junction of the Vandalia Line and the Toledo Main Line at or about Milepost BE 69.5 to the end of the Vandalia Line track in Vandalia, a distance of approximately 2.59 miles in Montgomery County, OH. 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

CSXT states in its application that there is one rail shipper, Wolohan Lumber (Wolohan), located toward the end of the Line at Vandalia, which uses the subject line for inbound shipments of lumber. Over the past several years, Wolohan's use of the line has diminished, with 33 cars in 2000, 47 cars in 2001, and to date 2 cars in 2002. CSXT states that it believes that Wolohan uses truck transportation for inbound shipments of lumber.

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 and reviewed the record in this proceeding.

The U.S. National Geodetic Survey has advised us that one geodetic station marker has been identified that may be affected by the proposed abandonment.

The U.S. Department of the Interior, Fish and Wildlife Service, Ecological Services,

Reynoldsburg, Ohio Office, has advised us that the proposed project is within the range of the Federally listed endangered Indiana bat. Summer habitat requirements for the species include: dead or live trees and snags with peeling or exfoliating bark, split tree trunk and/or branches, or cavities, which may be used as maternity roost areas; live trees (such as shagbark hickory) which have exfoliating bark; and stream corridors, riparian areas, and upland woodlots which provide forage sites.

CONDITIONS

We recommend that the following two conditions be placed on this abandonment proceeding.

(1) The National Geodetic Survey (NGS) has identified one geodetic station markers that may be affected by the proposed abandonment. Therefore, CSX shall notify NGS at least 90 days prior to any salvage activities that may disturb or destroy this marker so that plans can be made for their relocation

(2) To address the U.S. Department of the Interior, Fish and Wildlife Service's concerns regarding potential summer habitat of the Federally listed endangered Indiana bat that may be present in the area, CSX shall save trees exhibiting characteristics of Indiana bat habitat wherever possible. If the trees must be cut, they should not be cut between April 15 and September 15. If this time restriction is unacceptable, a survey to determine if bats are present shall be conducted in coordination with the U.S. Department of the Interior, Fish and Wildlife Service, Ecological Services, Reynoldsburg, Ohio Office endangered species coordinator.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and subject to the recommended mitigation measures, 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 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 Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub-No. 609) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White, the environmental contact for this case by phone at (202) 565-1552, fax at (202) 565-9000, or e-mail at whited@stb.dot.gov.

Date made available to the public: **May 28, 2002.**

Comment due date: June 26, 2002 (30 Days).

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

Vernon A. Williams
Secretary

Attachment

cc: Mary M. Knapp, U.S. DOI, Fish and Wildlife Service, Reynoldsburg, OH

