

33299

SERVICE DATE - JANUARY 9, 2003

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

STB Docket No. AB-290 (Sub No. 215X)

**Norfolk Southern Railway Company - Abandonment Exemption-
In Mingo County, West Virginia**

BACKGROUND

In the above entitled proceeding, the Norfolk Southern Railway Company (NS) has 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 its line of railroad between Milepost FG-0.0 at Williamson and Milepost FG-2.5 at Cinderella, a distance of 2.5 miles in Mingo County, West Virginia. A map depicting the rail line in relationship to the area served is appended to the report. If the notice 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

According to NS, there has been no local traffic on the line for two years and NS states that it is unlikely that there will be any prospect for increased traffic. NS describes the area surrounding the line as 60% commercial, 35% undeveloped wooded, and 5% residential. NS also states that it does not have fee title to all of the right-of-way underlying the line proposed for abandonment. NS also states that the line crosses a stream called Sycamore Branch numerous times but NS states that it does not intend to undertake in-stream salvage work.

ENVIRONMENTAL REVIEW

NS 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. NS served the environmental and historical reports 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. National Geodetic Survey has advised us that three geodetic station markers, C 34, D 34, and E 34 may be affected by the proposed abandonment.

CONDITIONS

In response to the concerns expressed by the National Geodetic Survey, we recommend that the following condition be imposed on any decision granting abandonment authority:

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

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and subject to the recommended condition, 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

If abandonment and salvage of the rail line does take place, 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 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 10 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 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) 565-1592 or mail inquiries to the 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-290 (Sub-No. 215X) 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: January 14, 2003

Comment due date: **January 28, 2003 (15 days).**

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

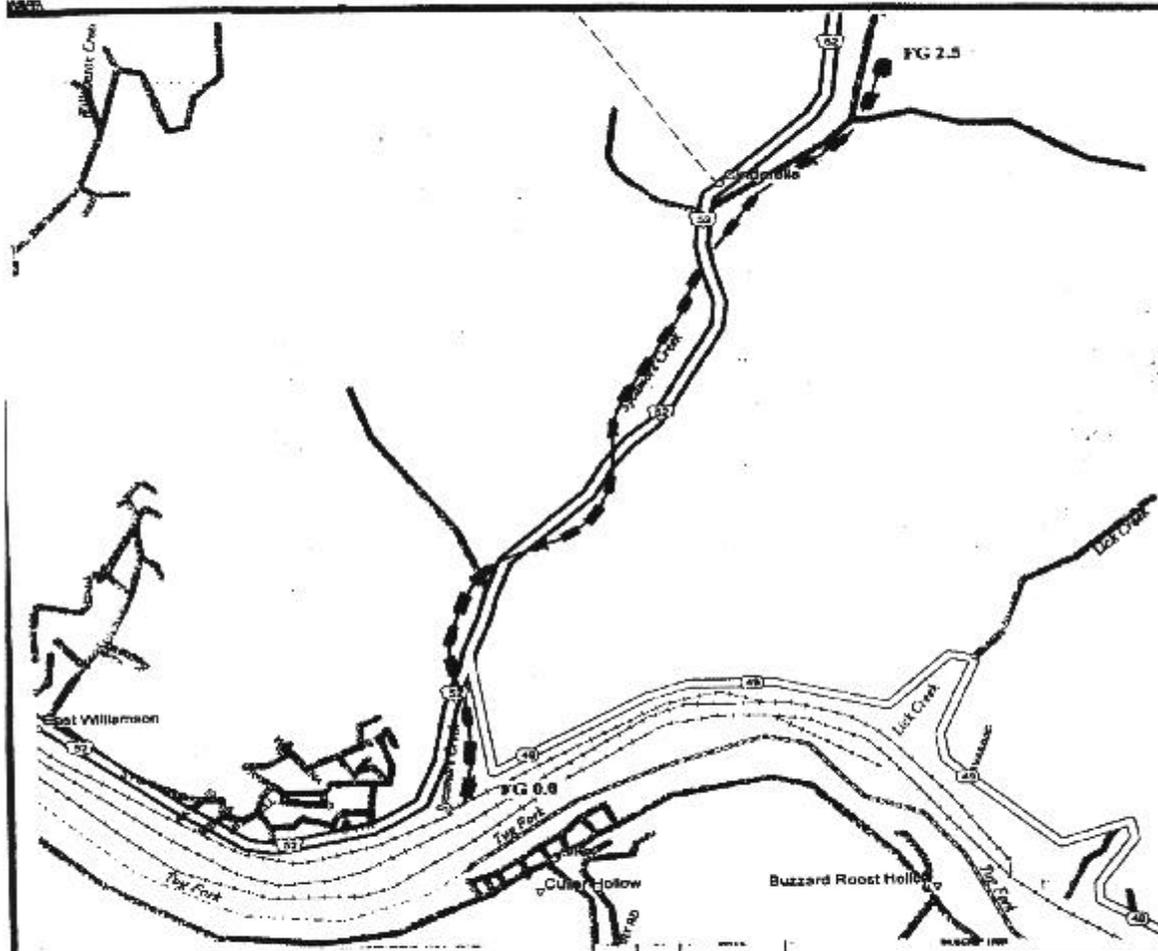
Vernon A. Williams
Secretary

Attachment

ID-33299

EXHIBIT 1

AB 290 (215X)



NORFOLK SOUTHERN

DESIGN COMPANY

ENGINEER - DESIGN & CONSTRUCTION STAFF, VA.

LOCATION				Williamson and Cinderella West Virginia	
TITLE				Proposed Line Abandonment Between MP FG 0.0 and FG 2.5	
DESIGNER	DATE	BY	SCALE	SHEET NUMBER	
RPD	188-24			TA 00-0116	
	August 18, 2000				

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