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SERVICE DATE - OCTOBER 29, 1999

SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423

## ENVIRONMENTAL ASSESSMENT

STB Docket NO. AB-55 (Sub-No. 575X)

CSX Transportation, Inc.--Abandonment Exemption--  
In Lee County, VA

### BACKGROUND

In the above entitled proceeding, CSX Transportation, Inc. (CSXT), 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 a 1.6-mile line of its railroad between milepost OCV-242.00 and milepost OCV-243.6, near Hagans, in Lee County, VA. 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

The right-of-way on varies between 50 and 150 feet from the center line of track and traverses a rural and mountainous area of western Virginia. In its application, CSX states that no rail traffic has originated or terminated on the line in the past two years and none is expected in the future.

### ENVIRONMENTAL REVIEW

CSXT 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. CSXT 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)]. Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the U.S. Environmental Protection Agency, Region 3; Director, Div. of Intergovernmental Coordination Department of Environmental Quality; U. S. Department of Interior, Fish & Wildlife Service; U. S. Army Corps of Engineers; Virginia Department of Transportation; Lee County Planning Commission; District Conservationist Department of Natural Resources; and Mr. H. Alexander Wise, Jr., Director, State Historic Preservation Officer.

The Commonwealth of Virginia Department of Environmental Quality (DEQ), has

submitted a list of suggestions concerning water quality, air quality, erosion and sediment control and storm water management and pesticides and herbicides prior to salvage operations. DEQ specifically states that no long term adverse impacts to water quality are anticipated, but potential adverse impacts resulting from surface runoff must be minimized. DEQ states that if five or more acres of land are disturbed a Virginia Pollutant Discharge Elimination System storm water construction permit may be required from DEQ's Southwest Regional Office, (505) 676-4800. DEQ further states that during access and rail crosstie removal, fugitive dust must be kept at a minimum. This requires, but is not limited to, measures such as application of water to suppress dust, the washing down of construction vehicles and paved roadways immediately adjacent to the construction site. The following Sections of the Virginia Administrative Code (VAC) may be applicable: 9 VAC 5-50-80 and 90, governing abatement of visible emissions and fugitive dust emissions; and 9 VAC 5-40-5620 and -5630 address open burning. Again, contact the DEQ's Southwest Regional office, (504) 676-5800. DEQ requests that non-point source pollution resulting from this project should be minimal provided that effective erosion and sediment control practices and structures are currently employed. Barren areas should be vegetated. Erosion and sediment control measures must be in accordance with current erosion and sediment control regulations, set forth in the current Virginia Erosion and Sediment Control Handbook. If the total land disturbance exceeds 10,000 square feet, an erosion and sediment control plan will be required and a storm water management plan may also be required. For assistance to prepare these plans, contact the Department of Conservation and Recreation's Division of Soil and Water Conservation (804) 786-2064; and the use of herbicides and pesticides during construction or for landscape maintenance must be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. Contact Department of Agriculture and Consumer Services at (804) 786-3501 for information.

## **CONDITIONS**

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

**To ensure compliance with the Virginia regulations protecting water quality, air quality, erosion and sediment control and storm water management and pesticides and herbicides during salvage operations, we will recommend that a condition be imposed on any decision granting abandonment authority requiring CSXT prior to salvage operations consult with: (a) the Virginia Department of Environmental Quality Southwest Regional Office (505) 676-4899 concerning water quality and air quality; (b) the Department of Conservation and Recreation's Division of Soil and Water Conservation (804) 786-2064 to ensure compliance with Virginia's regulations regarding soil erosion and sediment control and storm water management; and (c) consult with the Department of Agriculture and Consumer Services (804) 786-3501 for the use of herbicides and pesticides.**

## **CONCLUSIONS**

Based on the information provided from all sources to date and subject to the recommended

conditions, we conclude that, as currently proposed, 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 this case, 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 not 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 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. However, 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.

### **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub-No. 575X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629.

Date made available to the public: October 29, 1999.

**Comment due date: November 15, 1999.**

By the Surface Transportation Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

MAP NEEDS TO BE SCANNED.