

28777

SERVICE DATE - JANUARY 23, 1998

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB- 192 (SUB-NO. 1)

**Birmingham Southern Railroad Company -
Application to Abandon and Discontinue Service -
Birmingham, AL, and Discontinuance of Trackage Rights
Over the Norfolk Southern Railroad in Birmingham, AL**

BACKGROUND

In this proceeding, the Birmingham Southern Railroad (BS) has filed an application seeking authority under 49 U.S.C. 10903 to abandon and discontinue service over its railroad line known as the Birmingham Branch consisting of (1) the Birmingham Running Track, extending from BS station 0+00 to BS station 146+97.22, a distance of 2.78 miles, and (2) the Birmingham Yard, extending from BS station 0+00 to BS station 56+83.94, a distance of 1.08 miles. The rail line segments proposed for abandonment are located in the City of Birmingham, Jefferson County, Alabama. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

BS also seeks the discontinuance of .614 miles of trackage rights over the Norfolk Southern Railroad, located between Norfolk Southern Railroad's Mileposts 143 and 144 in Birmingham.

DESCRIPTION OF THE LINE

In its application, BS states that the line segments proposed for abandonment have remained in operation to serve Mindis Metal Company (Mindis), a business engaged in processing scrap metal. BS further states that because of the limited rail service BS now provides Mindis and the aging tracks and signals of the line, continued operation of the line is no longer economically feasible.

In February 1997, a connecting track was constructed by the Norfolk Southern Railroad (NS), which operates rail service in the area, to enable NS to serve Mindis. NS now provides service to Mindis.

The subject rail line segments are located in a high traffic volume area of Birmingham.

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 verified the record in this proceeding.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, 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 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 certificate of interim trail use (CITU) is due to the Board, with a copy to the railroad, within 30 days of filing of the application. 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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB- 192 (Sub No. 1) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White at (202) 565-1552.

Date made available to the public: January 23, 1998.

Comment due date: February 20, 1998. (30 Days)

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

Vernon A. Williams
Secretary

Attachment

*****MAP HAS TO BE SCANNED*****

28777

SERVICE DATE - JANUARY 23, 1998

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB- 192 (SUB-NO. 1)

**Birmingham Southern Railroad Company -
Application to Abandon and Discontinue Service -
Birmingham, AL, and Discontinuance of Trackage Rights
Over the Norfolk Southern Railroad in Birmingham, AL**

BACKGROUND

In this proceeding, the Birmingham Southern Railroad (BS) has filed an application seeking authority under 49 U.S.C. 10903 to abandon and discontinue service over its railroad line known as the Birmingham Branch consisting of (1) the Birmingham Running Track, extending from BS station 0+00 to BS station 146+97.22, a distance of 2.78 miles, and (2) the Birmingham Yard, extending from BS station 0+00 to BS station 56+83.94, a distance of 1.08 miles. The rail line segments proposed for abandonment are located in the City of Birmingham, Jefferson County, Alabama. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

BS also seeks the discontinuance of .614 miles of trackage rights over the Norfolk Southern Railroad, located between Norfolk Southern Railroad's Mileposts 143 and 144 in Birmingham.

DESCRIPTION OF THE LINE

In its application, BS states that the line segments proposed for abandonment have remained in operation to serve Mindis Metal Company (Mindis), a business engaged in processing scrap metal. BS further states that because of the limited rail service BS now provides Mindis and the aging tracks and signals of the line, continued operation of the line is no longer economically feasible.

In February 1997, a connecting track was constructed by the Norfolk Southern Railroad (NS), which operates rail service in the area, to enable NS to serve Mindis. NS now provides service to Mindis.

The subject rail line segments are located in a high traffic volume area of Birmingham.

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 verified the record in this proceeding.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, 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 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 certificate of interim trail use (CITU) is due to the Board, with a copy to the railroad, within 30 days of filing of the application. 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 Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB- 192 (Sub No. 1) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White at (202) 565-1552.

Date made available to the public: January 23, 1998.

Comment due date: February 20, 1998. (30 Days)

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

Vernon A. Williams
Secretary

Attachment

*****MAP HAS TO BE SCANNED*****