

30684

SERVICE DATE - DECEMBER 30, 1999

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

AB-290 (SUB-NO.192X)

The Norfolk Southern Railway Company - ABANDONMENT - In Anderson and Woodford Counties, KY.

**BACKGROUND**

In this proceeding, the Norfolk Southern Railway Company (NS) 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 service of 2.8 miles of railroad line between railroad milepost 0.7-LL, and railroad milepost 3.5-LL, in Lawrenceburg and Tyrone, KY, which traverses through United States Postal Code 40342 and 40383. 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 line passes through mostly forest and a small industrial area. There are three bridges on the line, each over 50 years old. There has been no rail traffic on the line for the last two years.

**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 the record in this proceeding. 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 U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, National Geodetic Survey, Natural Resources and Environmental Protection Cabinet, U.S. Department of Agriculture, Kentucky Department of Environmental Protection, Kentucky Heritage Council, National Park Service and Anderson County Administrator.

### **CONDITIONS**

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

1. The National Geodetic Survey (NGS) has identified two geodetic station makers that may be affected by the proposed abandonment. Therefore, we recommend, that NS notify NGS at least 90 days prior to any salvage activity so that plans may be made for their relocation.
2. The Kentucky State Historic Preservation Office (SHPO) has not yet completed their review of the proposed abandonment. Therefore, we recommend, that NS further consult with the Kentucky SHPO, and retain its interest in and take no steps to alter the historic integrity of the line segment until completion of the Section 106 process of the National Historic Preservation Act, 16, U.S.C. 470f.

### **CONCLUSIONS**

Based on the information provided from all sources to date, and subject to the recommended condition(s), 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 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 (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 Surface Transportation Board, Office of Public Services, Room 848, 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, Room 711, Washington, DC 20423, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-290 (Sub No. 192X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: December 30, 1999.  
**Comment due date: January 18, 2000.**

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

Vernon A. Williams  
Secretary



PLEASE SCAN THE MAP