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SERVICE DATE - JULY 7, 1998

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

NO. AB-55 (SUB-NO.562X)

**CSX TRANSPORTATION, INC.
-ABANDONMENT EXEMPTION-
IN NASH COUNTY, NORTH CAROLINA**

BACKGROUND

In this proceeding, the CSX Transportation, Inc. 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 its railroad line located between Valuation Station 4+30 at Falls Road and Valuation Station 36+00 at the end of the track near Earl Street, a distance of approximately 0.60 miles, in Rocky Mount, Nash County, North Carolina. 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

In recent years, only two rail patrons have originated or terminated any rail traffic on this branch line. Log Cabin Homes has historically received lumber on this line. In 1996, Log Cabin Homes received six carloads of lumber via rail on this line and in 1997, Log Cabin Homes received ten carloads of lumber via rail. In the past, New Southern of Rocky Mount has used this branch main line to ship rail cars of vegetable oil and meal. In 1996, New Southern shipped 16 carloads via rail. However, New Southern has not used the railroad since 1996. The right-of-way fluctuates between 12 and 44 feet wide and meanders between buildings in an industrial area of urban Rocky Mount. There are seven road crossings located on the line proposed for abandonment. These crossings are all in need of immediate repair. The total length of the seven crossings is approximately 300 feet.

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 the North Carolina Department of Cultural Resources, the Army Corps of Engineers, Wilmington District, the U.S. Fish and Wildlife Service, Raleigh Field Office, and the State of North Carolina, Department of Environment and Natural Resources.

CONDITIONS

The State of North Carolina, Department of Environment and Natural Resources (DENR) has stated that any exposed areas within the railroad right-of-way are to be appropriately stabilized prior to abandonment. The DENR also states that areas that may be contributing to off-site sedimentation may be subject to the requirements of the Sedimentation Pollution Control Act of 1973. **We, therefore, recommend that CSX, prior to any salvage activities, be required to consult with the North Carolina Department of Environment and Natural Resources to determine if permits are necessary under the provisions of the Sedimentation Pollution Control Act of 1973.**

CONCLUSIONS

Based on the information provided from all sources to date, and subject to the recommended condition, 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 would not be suitable for alternative public use due to reversionary interests upon abandonment. 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 Congressional and Public Services (OCPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OCPS directly at (202) 565-1594, or mail inquiries to Surface Transportation Board, Office of Congressional and Public Services, Room 843, 1925 K St. Washington, DC 20423.

ENVIRONMENTAL 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, 1925 K St. Washington, DC 20423, to the attention of Scott Decker, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub No. 562X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Scott Decker at (202) 565-1531.

Date made available to the public: July 1, 1998.

Comment due date: July 31, 1998.

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

Vernon A. Williams
Secretary

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