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SERVICE DATE - MARCH 21, 2003

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

AB- 565 (SUB-NO. 13X)

**NEW YORK CENTRAL LINES, LLC--ABANDONMENT EXEMPTION--IN BRONX
COUNTY, NY**

AB 55 (SUB-NO. 628X)

**CSX TRANSPORTATION, INC.--DISCONTINUANCE OF SERVICE EXEMPTION--IN
BRONX COUNTY, NY**

BACKGROUND

New York Central Lines, LLC (NYC) and CSX Transportation, Inc. (CSXT) filed a notice of exemption pursuant to the Board's regulations at 49 CFR 1152.50. This notice of exemption filed by NYC and CSXT is for abandonment and discontinuance of service, respectively, of a line of railroad between Melrose and the southernmost edge of the tunnel at Southern Boulevard in Bronx County, New York, a distance of approximately 1.5 miles. NYC seeks authority to abandon the line. CSXT seeks authority to discontinue service on the line. Two maps depicting the rail line in relationship to the area served are 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.

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 contacted 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 : Department of Natural Resources, State Historic Preservation Officer, National Park Service, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Department of Agriculture, and Costal Zone Management.

TRANSPORTATION

Traffic has not moved over this line for two years. Accordingly, there will be no diversion of rail traffic to motor carriage.

LAND USE

The line has not generated any traffic during the past two years, it is unlikely that the proposed action is inconsistent with local land use plans.

BIOLOGICAL RESOURCES

This particular segment is located in a highly developed urban area. CSXT anticipates removing only the track material and the upper layer of ballast. It is not anticipated that any federally-listed endangered or threatened species will be adversely affected or critical habitats modified if abandonment authority is granted.

HISTORIC PRESERVATION

The railroad submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. The railroad served the report on the New York State Office of Parks, Recreation and Historic Preservation (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the *National Register of Historic Places* (National Register) would be affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public

CONDITIONS

No conditions are recommended.

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

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 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 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 Surface Transportation Board, Office of Public Services, Room 848, 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 Phillis Johnson-Ball, who prepared this environmental assessment. **Please refer to Docket No. AB-565 (Sub-No. 13X) and AB 55 (Sub-N0. 628X) in all environmental correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Phillis Johnson-Ball at (202) 565-1530.

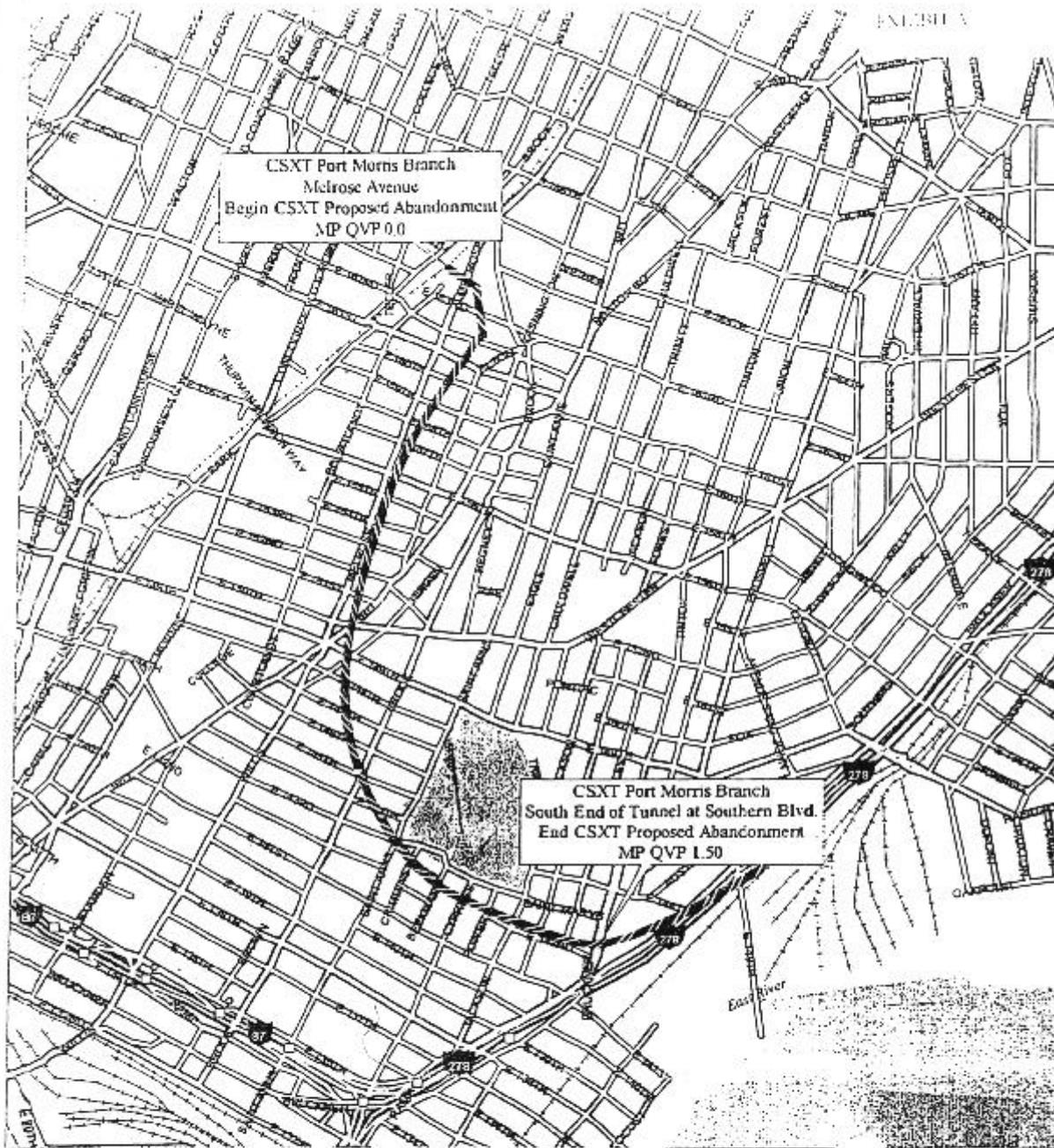
Date made available to the public: 3/21/03

Comment due date: 4/7/03

By the Board, Victoria Rutson, Chief Section of Environmental Analysis

Vernon A. Williams
Secretary

Attachments



New York Central, LLC and CSX Transportation, Inc

Melrose to Southern Blvd (on Port Morris Branch), Bronx County, New York

 1.5 Miles of line to be abandoned

