

**37690  
SEA**

**SERVICE DATE – JANUARY 30, 2007**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB Docket No. AB-290 (Sub. No. 277X), Norfolk Southern Railway Company—  
Abandonment Exemption—In Madison County, Tennessee  
and**

**STB Docket No. AB-997X, Western Tennessee Railroad—Discontinuance of Service—In  
Madison County, Tennessee**

**BACKGROUND**

On January 5, 2007, the Norfolk Southern Railway Company and Western Tennessee Railroad (collectively Railroads) filed a notice of exemption from regulation under 49 U.S.C. 10903, pursuant to the provisions of 49 U.S.C. 10502 and 49 CFR 1152.50, for abandonment and discontinuance of service over a .25-mile line of railroad lying between mileposts C 471.00 and C 471.25 in Jackson, Madison County, Tennessee. The line traverses U.S. Postal Service Zip Code 38301. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA).

**ENVIRONMENTAL REVIEW**

The Railroads submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of abandonment and discontinuance of service, including salvage and disposition of the right-of-way. The Railroads served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the environmental record in this proceeding.

According to the Railroads, the line has been out of service for more than two years. Moreover, there is no overhead traffic on the line. Under these circumstances, the proposed abandonment and discontinuance of service would not adversely affect the transportation of energy resources or recyclable commodities, and would not result in an increase in overall energy efficiency.

The Railroads state that they are aware of no inconsistencies of the proposed actions with existing land use plans. The City of Jackson, Tennessee, in a memorandum of June 28, 2006 to the Railroads, expressed its support for the proposed abandonment and discontinuance of service. In response to the Railroads' request for information on potential impacts to prime farmland, the Natural Resource Conservation Service stated that the proposed project would have no adverse effect on adjacent farmlands. The line is not located in a designated coastal zone. The Railroads

explain in their notice of abandonment and discontinuance of service that salvage activities would not result in earthmoving or disturbance of the land on the right-of-way or surrounding the line.

The Railroads maintain that any emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment and discontinuance of service.

According to the Railroads, there are no wildlife sanctuaries or refuges, national or state parks or forests in the vicinity of the proposed abandonment and discontinuance of service. The Railroads state that the proposed abandonment and discontinuance of service would be handled in a manner that is consistent with the applicable Federal, state, and local water quality standards. To the best of the Railroads' knowledge, the proposed abandonment and discontinuance would have no effect on 100-year flood plains. The Railroads explained in their Notice of Exemption that there are no known hazardous materials waste sites or sites where known hazardous material spills have occurred on or along the subject right-of-way. The United States Army Corps of Engineers (Corps) has determined that no Corps permit would be required for this project as it would not result in the discharge of dredged or fill material into wetlands or other waters of the United States. The United States Fish and Wildlife Service stated that no significant adverse impacts to wetlands or Federally listed endangered or threatened species are anticipated from the proposed abandonment and discontinuance of service.

The National Geodetic Survey states that no geodetic survey markers have been identified in the area of the proposed abandonment and discontinuance of service.

## **HISTORIC REVIEW**

The Railroads submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the Tennessee State Historic Preservation Office (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 and discontinuance of service. 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 and discontinuance of service 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.

SEA conducted a search of the Native American Consultation Database at [www.cast.uark.edu/other/nps/nacd/](http://www.cast.uark.edu/other/nps/nacd/) to identify federally recognized tribes that may have ancestral connections to the project area. The database identified one tribe that may have an interest in the proposed abandonment. Accordingly, SEA is sending a copy of this EA to the Eastern Band of Cherokee Indians of North Carolina for their review and comment.

## **CONDITIONS**

No environmental conditions are recommended.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, abandonment and discontinuance of service would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment and discontinuance of service 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, discontinuance of service and salvage of the rail line, a portion of the rights-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 is due to the Board, with a copy to the Railroads, within 10 days of publication of the notice of the class 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, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket Nos. AB-290 (Sub. No. 277X), Norfolk Southern Railway Company—Abandonment Exemption—In Madison County, Tennessee and AB-997X, Western Tennessee Railroad—Discontinuance of Service—In Madison County, Tennessee.**

If you have any questions regarding this environmental assessment, please contact Phillis Johnson-Ball, the environmental contact for this case, by phone at (202) 565-1530, fax at (202) 565-9000, or e-mail [johnson-ballp@stb.dot.gov](mailto:johnson-ballp@stb.dot.gov).

Date made available to the public: January 30, 2007.

**Comment due date: February 13, 2007.**

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

Vernon A. Williams  
Secretary

Attachment