

33980

SERVICE DATE - SEPTEMBER 26, 2003

SURFACE TRANSPORTATION BOARD

WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-55 (Sub. No. 613X)

**CSX Transportation, Inc. – Abandonment Exemption –
in Jefferson County, AL**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for CSXT to abandon approximately 16.47 miles of rail line extending from Milepost ONC 384.00 in Black Creek to Milepost ONJ 400.47 at West Jefferson, in Jefferson County, Alabama. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, CSXT will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to CSXT, the Louisville and Nashville Railroad Company was incorporated under special act of Kentucky on March 5, 1850, under special act of Tennessee on December 4, 1851, and under special act of Virginia on March 30, 1887. In 1972, The Family Lines was adopted to identify the Louisville and Nashville Railroad and the Seaboard Coast Line Railroad. On November 1, 1980, Seaboard Coast Line Industries, Inc. (which was formed in May, 1969) and Chessie System, Inc. merged and became CSX Corporation. On January 1, 1983, the merger of The Family Lines' affiliates formed the Seaboard System Railroad, Inc., which changed name on July 1, 1986 to CSXT.

CSXT states that there has been no local traffic on the line for at least two years, and there is no overhead freight traffic on the line. No future traffic is anticipated. Formerly, CSXT utilized the line to serve an Alabama Power Company Facility. The proposed abandonment would remove 27 road crossings and the associated signs and structures. The width of the right-of-way varies from 50 feet to 100 feet from the centerline of the track.

Upon receiving authority to abandon the line, CSXT's operations and maintenance of the line will cease. Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. Removal of material will be accomplished by use of the right-of-way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause

sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right-of-way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants, or any other pollutant materials from entering any waterways.

CSXT states that there is one CSXT-owned structure that is over 50 years old. The bridge at Milepost ONJ 398 is a total of 215 feet long and was built by the Louisville and Nashville Railroad Company in 1952. The bridge has three spans. The two end spans are timber trestles. The middle span is a deck plate girder.

ENVIRONMENTAL REVIEW

CSXT 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. CSXT served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The National Geodetic Survey has advised us that three geodetic station markers have been identified that may be affected by the proposed abandonment.

HISTORIC REVIEW

CSXT submitted an historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. CSXT served the report on the State of Alabama, Alabama Historical Commission (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 CSXT's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

CONDITIONS

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

1. The National Geodetic Survey (NGS) has identified three geodetic station markers that may be affected by the proposed abandonment. Therefore, CSXT shall notify NGS 90 days prior to salvage activities in order to plan their relocation.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, 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 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.

ENVIRONMENTAL 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 Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-55 (Sub No. 613X) in all correspondence addressed to the Board.** If you have any questions regarding this environmental assessment, you should contact Kenneth Blodgett, the environmental contact for this case by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov.

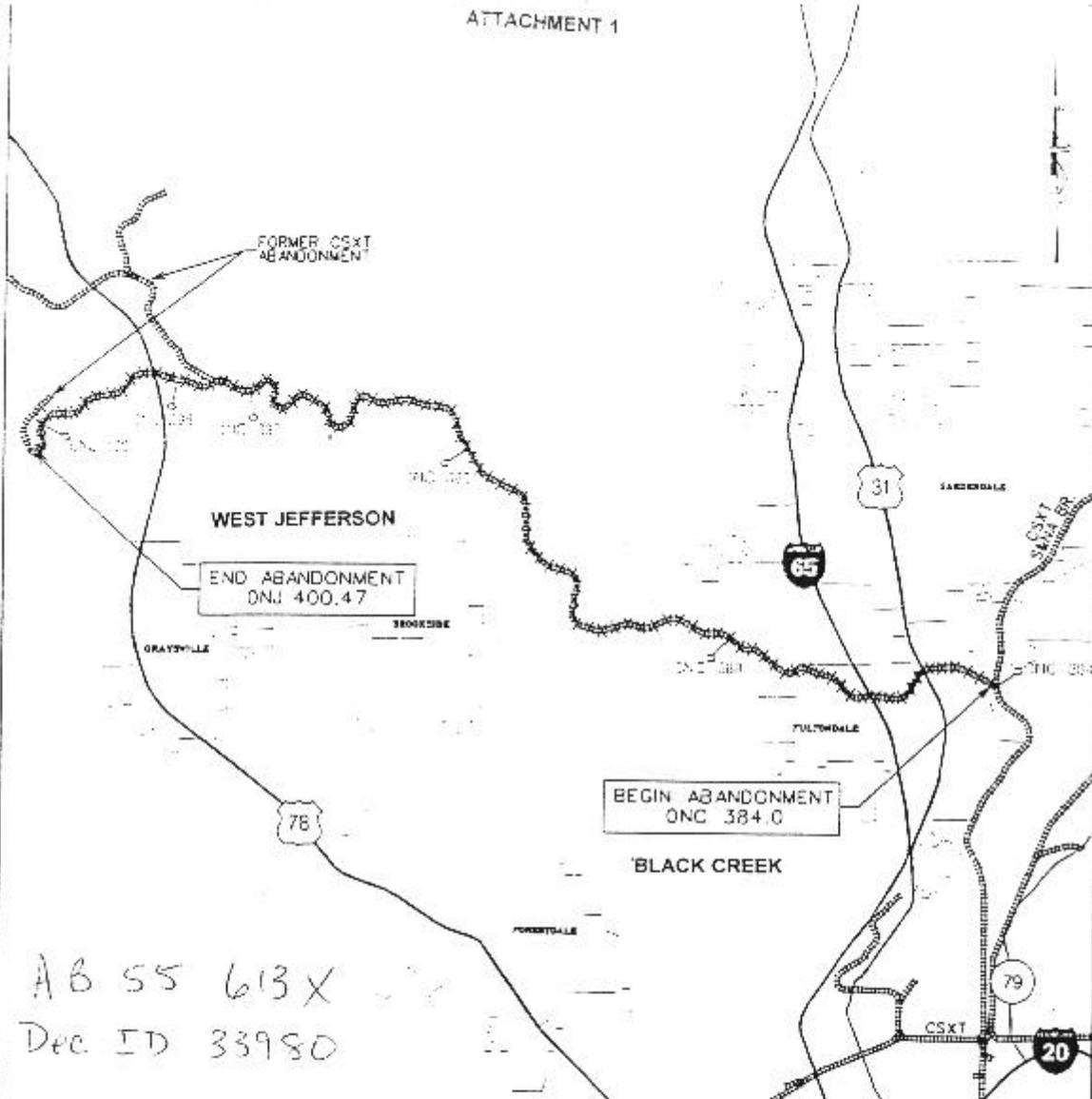
Date made available to the public: September 26, 2003.

Comment due date: **October 14, 2003 (15 days).**

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

Vernon A. Williams
Secretary

Attachment



AB 55 613X
Dec ID 33980

LEGEND	
PROPOSED ABANDONMENT	XXXXXXXXXXXXXXXXXXXX
Total Distance = 16.47 Miles	
SOUTHERN REGION	
ATLANTA DIVISION	
BIRMINGHAM MINERAL SUBDIVISION	

CSX TRANSPORTATION	
Proposed Abandonment - 16.47 miles of Cain Creek and Banner Branches, Black Creek to West Jefferson, Jefferson County, Alabama	
City: West Jefferson	VAL: V48/1-7b
County: Jefferson	GIS: 20599 - 20607
State: Alabama	Scale: 1" = 9000'
Fips: 39041	Date: 2/28/02
Pin: N/A	Drawn By: LF