

**28157**

**SERVICE DATE - OCTOBER 3, 1997**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**NO. AB-55 (SUB-NO.521)**

**CSX Transportation, Inc.  
Abandonment Exemption  
In Fulton County, Georgia**

**BACKGROUND**

In this proceeding, CSX Transportation Inc. (CSX) 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 that portion of a branch main line extending from Milepost ANB-864.04 to Milepost ANB-864.62, a distance of 0.58 miles, in Atlanta, Fulton County, Georgia. 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 its application, CSX states that the line was embargoed in January 1996 because of the condition of the south abutment of the Kennedy Street Bridge (at Milepost ANB-864.50), as well as other deteriorating track conditions on the line. CSX states that the overall cost to repair the line is not supported by the current or anticipated traffic. Of the two shippers on the line at the time of the embargo, one switched to motor carrier service and the other moved to another rail-served facility in Atlanta.

**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 and reviewed the record in this

proceeding.

The City of Atlanta has approached CSX with the offer to buy the right-of-way in the near future for the purpose of creating a greenway trail. The City plans to keep the right-of-way intact.

The Georgia State Historic Preservation Office (GA SHPO) has written to us expressing the opinion that the line in its entirety appears to qualify for the National Register of Historic Places. The GA SHPO has also informed the City of Atlanta about this determination and the City has expressed a commitment to working with the GA SHPO regarding the historic preservation of the line.

### **CONDITIONS**

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

**If the City of Atlanta's plans to convert the line to a greenway trail are not realized, CSX shall consult with the Georgia State Historic Preservation Officer and shall retain its interest in and take no steps to alter the historic integrity of the line until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.<sup>1</sup>**

### **CONCLUSIONS**

Based on the information provided from all sources to date, 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**

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<sup>1</sup>CSX may proceed with the salvage of tracks and ties upon receiving any abandonment authority as we understand that the GA SHPO agrees that there is no historic significance attached to these materials.

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.

#### **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, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB- 55 (Sub No. 521 X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White at (202) 565-1552.

Date made available to the public: 10/3/97.

**Comment due date: 11/3/97. (30 Days)**

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

Vernon A. Williams  
Secretary

Attachment