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OEA

SERVICE DATE – AUGUST 12, 2011

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 1073X

**Alabama & Florida Railway Co., Inc. – Abandonment Exemption –
in Geneva, Coffee and Covington Counties, Ala.**

BACKGROUND

In this proceeding, Alabama & Florida Railway Co., Inc. (A&F) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Geneva, Coffee and Covington Counties, Alabama. The rail line proposed for abandonment extends approximately 42.9 miles from milepost 581.3 in Andalusia, to milepost 624.2 in Geneva (the Line). A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice 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

According to A&F, the Line may have been constructed in 1901, as part of a through route that extended from Georgiana, Alabama, to Graceville, Florida. A&F states that it assumed the common carrier obligation associated with the Line in 1986, but that CSXT Transportation, Inc. retains title to the real property comprising the railroad's right-of-way. A&F indicates that it does not intend to disturb the sub-grade or sub-grade structures as part of its planned track salvage. A&F also states that the abandonment and resultant salvage of the Line would eliminate 103 at-grade rail-highway crossings, 43 private crossings and 60 public crossings.

ENVIRONMENTAL REVIEW

A&F submitted an Environmental Report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. A&F served the Environmental Report on a number of appropriate federal, state, and local agencies as required by the Board's environmental rules (49 C.F.R. § 1105.7(b)).¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 1073 (Sub-No. 0X).

Diversion of Traffic

According to A&F, no local traffic has moved over the Line for at least 2 years, and there is no overhead traffic to be rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

A&F indicated that it consulted with the Alabama Department of Environmental Management, Coastal Program (ADEM) and on the basis of such consultation, understands that no part of the Line traverses a designated coastal zone, that there are no designated coastal zones in Coffee, Covington, or Geneva Counties, and that the proposed abandonment would not be subject to review under any coastal zone management plan.

The U.S. Army Corps of Engineers (Corps) and the U.S. Environmental Protection Agency's Region 4 Office (USEPA) have not submitted comments regarding the proposed abandonment. Accordingly, OEA will provide a copy of this EA to the Corps and USEPA for their review and comment.

Based on all information available to date, OEA does not believe that salvage activities would cause significant environmental impacts. In addition to the parties on the Board's service list for this proceeding, OEA is providing a copy of this EA to ADEM, the Corps and USEPA for their review and comment.

HISTORIC REVIEW

A&F served the Historic Report on the Alabama Historical Commission (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). OEA has not heard from the Alabama SHPO and therefore has not been able to consider the SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register of Historic Places (National Register). However, A&F indicates that it has determined that there are seven (7) structures along the Line, all of them trestles or bridges, that may be 50 years old or older. Accordingly, we are recommending a condition requiring the railroad to retain its interest

in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the Section 106 process.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify federally-recognized tribes which may have ancestral connections to the project area. The database indicated that the Eastern Band of Cherokee Indians of North Carolina and the Muscogee (Creek) Nation, Oklahoma, may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way for the proposed abandonment. Accordingly, OEA is sending a copy of this EA to these tribes for their review and comment.

CONDITIONS

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

1. Alabama & Florida Railway Co., Inc. (A&F) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. A&F shall report back to the Office of Environmental Analysis regarding any consultations with the SHPO and any other Section 106 consulting parties. A&F may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed, and the Board has removed this condition.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended condition is 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 4-part showing for imposition of a public use condition (49 C.F.R. § 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. 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 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact this office directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Danielle Gosselin, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 1073X in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Danielle Gosselin, the environmental contact for this case, by phone at (202) 245-0300, fax at (202) 245-0454, or e-mail at danielle.gosselin@stb.dot.gov.

Date made available to the public: August 12, 2011.

Comment due date: August 26, 2011.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment