

28069

SERVICE DATE - AUGUST 1, 1997

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

AB-468 (SUB NO. 2X)

PADUCAH AND LOUISVILLE RAILWAY, INC. - ABANDONMENT -
BETWEEN WHITE PLAINS AND ST. CHARLES, KY

BACKGROUND

In the above entitled proceeding, the Paducah & Louisville Railway, Inc.(P&L) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its railroad line. The line is located in Hopkins County, KY, between Mile Post J-146.0 at White Plains and Mile Post J-154.5 near St. Charles, a distance of approximately 8.50 miles. A map depicting the rail line in relationship to the area served is appended to the report. 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

The rail line to be abandoned is located in rural and light density population areas. The Mayor of the City of White Plains has expressed concern over the fact that the major drainage flowing out of the City flows along the existing P&L right-of-way. With the proposed abandonment and subsequent potential change in ownership of the right-of-way, especially between White Plains and Pond River, concerns arise regarding future access to the drainage ditch for maintenance and flood control.

ENVIRONMENTAL REVIEW

P&L 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. P&L served the environmental and historical reports 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)]. A number of agencies

responded by letter and these letters were included in Applicants' application. We have reviewed and verified this information.

Of particular environmental concern is the drainage system for White Plains. According to the Mayor of White Plains, without access to the drainage system which is located along the P&L right-of-way, particularly the section of right-of-way between White Plains and Pond River, and without proper maintenance, the town of White Plains could be flooded after the line is abandoned. These concerns would be alleviated if an easement was provided that allowed White Plains to use the existing right-of-way for access to the drainage system. Granting such an easement at the time of sale of the right-of-way would be appropriate.

CONDITIONS

We recommend the following condition:

If abandonment is granted, and concurrent with any sale of the right-of-way, P&L shall consult with appropriate officials of the City of White Plains regarding access to the City's drainage system which is located along the P&L right-of-way. The purpose of this consultation is for P&L to assist White Plains in establishing access to and maintenance of the City's drainage system.

CONCLUSIONS

We have analyzed and verified the information provided. Based on the information provided from all sources to date, and subject to the recommended conditions, 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

Following abandonment and salvage, 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 Surface Transportation 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 Surface Transportation 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) 565-1588, or mail inquiries to the 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, Surface Transportation Board, Section of Environmental Analysis, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No AB 468 (2X) in all correspondence addressed to the Board.** Questions regarding this environmental assessment should be referred to Ms. White at (202) 565-1552.

Date made available to the public: August 1, 1997.

Comment due date: August 15 1997 (15 days).

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

Vernon A. Williams
Secretary

Attachment