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OEA

SERVICE DATE – NOVEMBER 24, 2010

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-290 (Sub-No. 318X)

Norfolk Southern Railway Company – Abandonment Exemption – in Crawford County, Ga.

DOCKET NO. AB-1059X

Georgia Midland Railroad Company – Discontinuance of Service Exemption – in Crawford County, Ga.

BACKGROUND

In this proceeding, Norfolk Southern Railway Company (NSR) and Georgia Midland Railroad Company (GMR) (collectively, “railroads”) jointly filed a notice of exemption under 49 C.F.R. § 1152.20 for NSR to abandon and GMR to discontinue service over a line of railroad in Crawford County, Ga. The subject rail line extends 5.06 miles between Milepost FV 90.44 and Milepost FV 95.50 in Roberta, Ga (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, NSR would be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

The Line is located in a rural area of central Georgia approximately 30 miles southwest of Macon, Ga. According to the railroads, two bridges on the Line are more than 50 years old. Both bridges are constructed with timber and each is approximately 160 feet long. The bridge at Milepost FV 90.80 was constructed in 1925 and the bridge at Milepost FV 94.10 was constructed in 1913. The right-of-way is 120 feet wide.

The railroads state that the Line has been out of service for many years and no local or overhead traffic has moved on the Line for at least two years. Accordingly, the proposed abandonment would not result in the diversion of rail traffic to other modes. The railroads are not aware of any hazardous waste sites or sites where there have been hazardous material spills on the right-of-way.

The Line was constructed in 1888 by the Atlanta and Hawkinsville Railroad Company and was acquired by Southern Railway Company (SCR) in 1895. SCR operated the Line until 1990 when it was leased to the Ogeechee Railway for operation. Ogeechee Railway in turn transferred the lease operation to Georgia Midland Railroad Company in 2004. Norfolk

Southern Corporation acquired control of SCR in 1982, and SCR's name was changed to Norfolk Southern Railway Company in 1990.

ENVIRONMENTAL REVIEW

The railroads submitted an environmental report that concludes the quality of the human environment would not be affected significantly because of the abandonment or any post-abandonment activities. The railroads served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules (49 C.F.R. § 1105.7(b)).¹ The Board's Office of Environmental Analysis (OEA) reviewed and investigated the record in this proceeding.

Diversion of Traffic

Because there is no rail traffic on the Line, 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

Rail line salvaging activities typically include the removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the right-of-way, and regrading of the right-of-way. Salvage can be performed within the right-of-way, or, if necessary, via the construction of new access points to the right-of-way.

For the proposed abandonment, NSR stated that rail and track materials would be salvaged, and if a third party does not come forward with an interest in public or trails use of the right-of-way, NSR would also remove both bridges. NSR does not intend to appreciably remove or alter the contour of the roadbed underlying the Line, undertake any in-stream work, or dredge and/or use any fill materials during abandonment and salvage activities.

The Georgia State Clearinghouse stated that the proposed abandonment would be consistent with state or regional goals, policies, and plans. The Georgia Department of Natural Resources, Coastal Resources Division stated that Crawford County is not located in Georgia's coastal management area.

The Natural Resources Conservation Service stated that prime and statewide important farmlands occur in the area, but proposed salvaging activities would not result in any impacts to

¹ The railroads' environmental and historic reports are available for viewing on the Board's web site at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB-290 (Sub-No. 318X).

these resources. Therefore, the proposed abandonment does not involve the Federal Farmland Protection Policy Act (7 U.S.C. § 4201).

The U.S. Fish and Wildlife Service - Athens Field Office (USFWS) stated that federally listed species are not likely to occur in the area of the proposed abandonment (USFWS Reference No. N6-09-62-CRAW).

The U.S. Army Corps of Engineers - Savannah District (USACOE) stated that the proposed abandonment would not impact any waters of the United States based on NSR's description of salvaging activities (USACOE Reference No. SAS-2009-01343). Therefore, a permit under Section 404 of the Clean Water Act (33 U.S.C. § 1344) would not be required.

The National Geodetic Survey (NGS) has advised OEA that 2 geodetic station markers have been identified that could be affected by the proposed abandonment. Accordingly, OEA recommends a condition that requires NSR to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy the geodetic station markers.

HISTORIC REVIEW

The railroads submitted an historic report as required by the Surface Transportation Board's environmental rules (49 C.F.R. § 1105.8(a)) and served the report on the Georgia Historic Preservation Division (the State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c). In a June 21, 2010 reply, the SHPO stated that there are no archaeological resources listed in or eligible for listing in the National Register of Historic Places (National Register) that would be affected by the proposed abandonment (SHPO Project Reference No. GA-100611-005). However, the SHPO requested additional information regarding the two timber bridges on the Line.

NSR provided the additional information and the SHPO concluded in a June 24, 2010 letter that the Line and two bridges should be considered eligible for inclusion in the National Register under Criteria A and C. The SHPO also concluded that removal of the two bridges would result in an adverse effect to historic properties.

NSR communicated with the SHPO on August 23 and 24, 2010 to clarify the SHPO's conclusion. During those discussions, the SHPO stated that should no third party come forward to preserve the Line's right-of-way and the two bridges, NSR could remove the two bridges and dispose of the right-of-way if NSR first complied with SHPO-prescribed mitigation. The SHPO advised NSR that the mitigation requirement would consist of the railroad creating a permanent archival record of the two bridges and immediately surrounding area.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, we have determined that the proposed abandonment may have an adverse affect on historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as

specified at 36 C.F.R. § 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 through posting on the Board's website at <http://www.stb.dot.gov>.

Accordingly, we are recommending a condition that requires 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 of Historic Places until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.dot.gov/stb/environment/preservation.html>.

OEA conducted a search of the Native American Consultation Database at www.cast.uark.edu/other/nps/nacd/ to identify Federally recognized tribes that may have ancestral connections to the project area. The database did not identify any tribes as having connections to Crawford County.

CONDITIONS

In order to mitigate the potential environmental impacts from the proposed abandonment, OEA recommends that the following environmental conditions be placed on any decision granting abandonment authority:

1. Norfolk Southern Railway Company shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.
2. Norfolk Southern Railway Company shall 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) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. Norfolk Southern Railway Company shall report to the Board's Office of Environmental Analysis (OEA) regarding any consultations with Georgia Department of Natural Resources, Historic Preservation Division (the State Historic Preservation Office or SHPO) and the public. Norfolk Southern Railway Company 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 conditions were imposed, abandonment of the Line

would 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 and no salvage activities), 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 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 the time specified in the Federal Register notice. 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 (OPAGAC) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPAGAC 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, please send an **original and one copy** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Dave Navecky, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-290 (Sub-No. 318X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Dave Navecky, the environmental contact for this case, by phone at 202-245-0294, fax at 202-245-0454, or e-mail at david.navecky@stb.dot.gov.

Date made available to the public: November 24, 2010.

Comment due date: December 10, 2010.

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

Attachment