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SEA

SERVICE DATE – OCTOBER 28, 2008

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-43 (Sub-No. 184X)

**Illinois Central Railroad Company – Abandonment Exemption –
In Cook County, IL**

BACKGROUND

In this proceeding, Illinois Central Railroad Company (IC) filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 for IC to abandon an approximately 3,205-foot line of railroad in Cook County, Illinois.¹ The rail line begins at the point of clearance at Station 26+58 (Halsted Street) and extends to the end of the track at Station 58+63 (Cermak Road). A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment (EA). If the petition is granted, IC would be able to salvage track, ties and other railroad appurtenances and dispose of the right-of-way.

ENVIRONMENTAL REVIEW

IC 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. IC 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 at 49 CFR 1105.7(b).² The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to IC, Allied Metals is the only customer on the line, and there has been no rail traffic on the line since September 2006. From January to September 2006, Allied Metals

¹ In the Petition for Exemption filed on August 29, 2008, IC stated that the line proposed for abandonment was approximately 5,863 feet long. However, on October 13, 2008, IC filed a correction stating that the line proposed for abandonment is approximately 3,205 feet long.

² 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-43 (Sub-No. 184X).

received 201 rail cars of scrap metal, and in March 2008, Allied Metals ordered one rail car of scrap metal, which IC arranged to transload because of poor track conditions. IC has since embargoed³ the line due to track conditions and there is no overhead rail traffic on the line.

On October 15, 2008, a representative for IC informed SEA that 333 carloads were moved on the line during the base year (calendar year 2005).⁴ Using a rail-to-truck conversion factor of four trucks per railcar,⁵ SEA calculates that on a per day basis, if all the rail traffic is diverted to truck traffic, the abandonment would generate an estimated 1,332 new trucks per year (2,664 truck trips assuming an empty backhaul). This increase in truck traffic would not exceed the Board's thresholds of an increase of more than ten percent of the average daily traffic (ADT) or 50 vehicles a day on any affected road segment. See 49 CFR 1105.7(e)(5)(C).

Salvage Activities

The line proposed for abandonment passes through an industrial area of Chicago, and IC does not believe that the line is suitable for alternative public use. 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. According to IC, there are no bridges on the line proposed for abandonment. In the event that abandonment authority is granted, IC states that it intends to salvage rail, ties, and track materials.

The Natural Resource Conservation Service submitted comments stating that there are no designated farmed wetlands, agricultural lands, or undisturbed natural areas requiring soil and natural resource conservation in the area of the proposed abandonment. Accordingly, no mitigation is recommended.

The U.S. Fish and Wildlife Service's Chicago Ecological Services Field Office submitted comments stating that, based on the description and location of the project, it does not believe that any Federally-listed threatened or endangered species occur in the vicinity of the proposed project. Accordingly, the proposed abandonment is not expected to adversely affect Federally-listed threatened or endangered species.

Based on all information available to date, SEA does not believe that salvage activities would cause significant environmental impacts.

³ An embargo is a notification to the railroad industry and affected shippers that, in the carrier's opinion, a disability exists that temporarily prevents it from providing service.

⁴ Because there has been no rail traffic on the line since September 2006, SEA used 2005 as the base year.

⁵ The conversion factor is an estimate used to calculate the rail to truck conversion of varied commodities.

HISTORIC REVIEW

The railroad has submitted an Historic Report as required by the Board's environmental rules at 49 CFR 1105.8(a) and served the report on the Illinois Historic Preservation Agency (the State Historic Preservation Office or SHPO), pursuant to 49 CFR 1105.8(c). Based on available information, the SHPO believes that the proposed abandonment would not adversely affect any National Register historic properties located within the right-of-way (the Area of Potential Effect or APE) of the proposed abandonment.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 CFR 800.5(b), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 CFR 800.11(e), 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>.

SEA also conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally-recognized tribes that may have ancestral connections to the project area. The database indicated that the following Federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: Citizen Band of Potawatomi; Forest County Potawatomi Community of Wisconsin Potawatomi Indians, Wisconsin; Hannahville Indian Community; and Prairie Band of Potawatomi Indians. Accordingly, SEA is sending a copy of this EA to those tribes for review and comment.

CONDITIONS

SEA recommends that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes 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 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 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 EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Christa Dean who prepared this EA. 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-43 (Sub-No. 184X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this EA, please contact Christa Dean the environmental contact for this case, by phone at (202) 245-0299, fax at (202) 245-0454, or e-mail at christa.dean@stb.dot.gov.

Date made available to the public: October 28, 2008.

Comment due date: November 27, 2008.

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

Anne K. Quinlan
Acting Secretary

Attachment