

SERVICE DATE – DECEMBER 10, 2021

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. 1319X

**City Utilities of Springfield, Missouri – Abandonment Exemption –
In Greene County, Mo.**

BACKGROUND

In this proceeding, City Utilities of Springfield, Missouri (City Utilities) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Greene County, Missouri. The rail line proposed for abandonment extends approximately 1.24 miles from milepost 248.86 to milepost 250.1 (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA). If the Board grants the exemption, 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 City Utilities, the Line is an approximately 1.24-mile long single track that extends from MP 248.86 to MP 250.1. The right-of-way is approximately 100 feet wide and is located in a generally flat area that in part runs along the shore of Lake Springfield.

The Line is a segment of a longer line of railroad that was used by the Burlington Northern Railroad Company (“BN”) and its successor, BNSF Railway Company (“BNSF”), to deliver coal to City Utilities’ James River Power Station (“JRPS”) from 1958 until the facility ceased burning coal in 2015. In 1983 BN formally abandoned its track beyond MP 250.1 in ICC Docket No. AB 6 (No. 148). It later sold the track from MP 248.86 to MP 250.83 to City Utilities but continued to provide service to JRPS over the conveyed track. According to City Utilities, there are no other shippers located along the Line and it has been out of service since 2015; additionally, the power plant has been decommissioned.

Since the coal deliveries to the JRPS ceased in 2015 the tracks and right-of-way have fallen into disrepair. Other than remaining track materials, the only structure on the Line is a bridge; City Utilities cannot determine the exact age of the bridge.

ENVIRONMENTAL REVIEW

City Utilities submitted a combined environmental and historic report (E&H Report) that concludes the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the Line, including salvage. City Utilities served the E&H 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 implementing the National Environmental Policy Act. The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to City Utilities, there are no remaining shippers located along the Line. Therefore, the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. Nor would the proposed abandonment adversely impact the development, use and transportation of energy resources or recyclable commodities or the transportation of ozone-depleting materials.

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. City Utilities seeks to abandon the Line in order to salvage remaining track materials and convert the land comprising the current right-of-way into a multi-purpose recreational trail that will be incorporated into a regional trail system.

The National Geodetic Survey (NGS) has indicated that no geodetic survey markers are present in the area of the proposed abandonment. Therefore, no further consultation with NGS is recommended.

The Greene County Planning Department stated that it does not perceive that the proposed abandonment would have a significant effect upon the environment and it does not have any such concerns.

¹ The E&H Report is available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "1319" "0" "X" sequentially in the four boxes for "Docket Number," then selecting "Search." The E&H Report was filed on October 12, 2021.

According to City Utilities, the proposed action would not require any permits under Section 402 or 404 of the Clean Water Act. City Utilities requested comments from the U.S. Army Corps of Engineers (the Corps) and the Missouri Department of Natural Resources (MoDNR), Water Protection Program. To date, OEA has not received comment from either agency in this proceeding. The railroad does not intend to appreciably remove or alter the contour of the roadbed underlying the rail line, and disturbed areas would be limited to the right-of-way wherever possible. The railroad also has no plans to undertake in-stream work or dredge and/or fill any materials in connection with the proposed abandonment. However, the Line passes through 100-year floodplains. Accordingly, OEA has included the appropriate offices of the Corps, MoDNR, and the Federal Emergency Management Agency (FEMA) on the service list for this proceeding to ensure that they receive a copy of this Draft EA.

City Utilities requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding the potential impact of the proposed abandonment to protected wildlife, including federally listed threatened and endangered species. To date, USFWS has not provided comments. To identify protected species in the project area, OEA conducted a search of the USFWS Information for Planning and Consultation (IPaC) system.² Four protected threatened or endangered species and one candidate species are located in the area of the proposed abandonment: the gray bat (*Myotis grisescens*, endangered), the Indiana bat (*Myotis sodalis*, endangered), the northern long-eared bat (*Myotis septentrionalis*, threatened), the Ozark cavefish (*Amblyopsis rosae*, threatened) and the monarch butterfly (*Danaus plexippus*, candidate). According to the IPaC report, there is no critical habitat for these species in the project area. OEA has determined that these federally listed threatened or endangered species would not be affected because the proposed rail abandonment would not alter or adversely impact any habitat relied upon by these species. The project area is limited to an existing railroad right-of-way and salvage operations would not involve felling trees, disturbing mines, or affecting waterways. OEA is providing USFWS Missouri Ecological Services Field Office a copy of this EA for its review.

According to City Utilities, the Line is not located within a coastal zone.

OEA believes that any air emissions associated with abandonment activities would be temporary and would not have a significant impact on air quality. Similarly, any noise related to abandonment activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

Based on all information available to date, OEA does not believe that the proposed abandonment would cause significant environmental impacts. In addition to the parties on the

² <https://ecos.fws.gov/ipac>, last accessed December 6, 2021.

Board's service list for this proceeding, OEA is providing a copy of this Draft EA to the following agencies for review and comment: USFWS, the Corps, FEMA, and MoDNR.

HISTORIC REVIEW

City Utilities submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Missouri Department of Natural Resources's State Historic Preservation Office (SHPO) pursuant to 49 C.F.R. § 1105.8(c). Based on available information, the SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected 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 C.F.R. § 800.4(d)(1), and following consultation with SHPO and the public, OEA has determined that the proposed abandonment would not affect 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 SHPO and made available to the public through posting on the Board's website at www.stb.gov. Guidance regarding the Board's historic preservation review process is available on the Board's website at <https://prod.stb.gov/resources/environmental/historic-preservation-overview>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development's Tribal Directory Assessment Tool (TDAT) to identify federally recognized Tribes that may have ancestral connections to the project area.³ 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: the Apache Tribe of Oklahoma; Cherokee Nation; Delaware Nation, Oklahoma; Delaware Tribe of Indians; Osage Nation; and Seneca-Cayuga Nation. Accordingly, OEA is sending a copy of this Draft EA to these Tribes for review and comment.

CONDITIONS

OEA recommends that no environmental or historic conditions be imposed on any decision granting abandonment authority.

³ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed December 6, 2021).

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, 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), 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 Board's Federal Register notice of the proposed abandonment. The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁴

TRAIL 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 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 C.F.R. § 1152.29). The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁵

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

⁴ Board decisions are available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "1319" "0" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

⁵ Id.

Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

As of March 17, 2020, all filings and other submissions should be submitted electronically through the Board's website at www.stb.gov. To submit a comment on the Draft EA, select "File an Environmental Comment" under "Need Assistance?" on the Board's home page. Brief comments can be typed in the comment field provided, and lengthier comments can be attached as Word, Adobe Acrobat or other file formats. If you have any questions, please contact Adam Assenza by email at Adam.Assenza@stb.gov or by phone at 202-245-0301.

Date made available to the public: December 10, 2021.

Comment due date: January 10, 2022.

By the Board, Danielle Gosselin, Acting Director, Office of Environmental Analysis.

Attachment



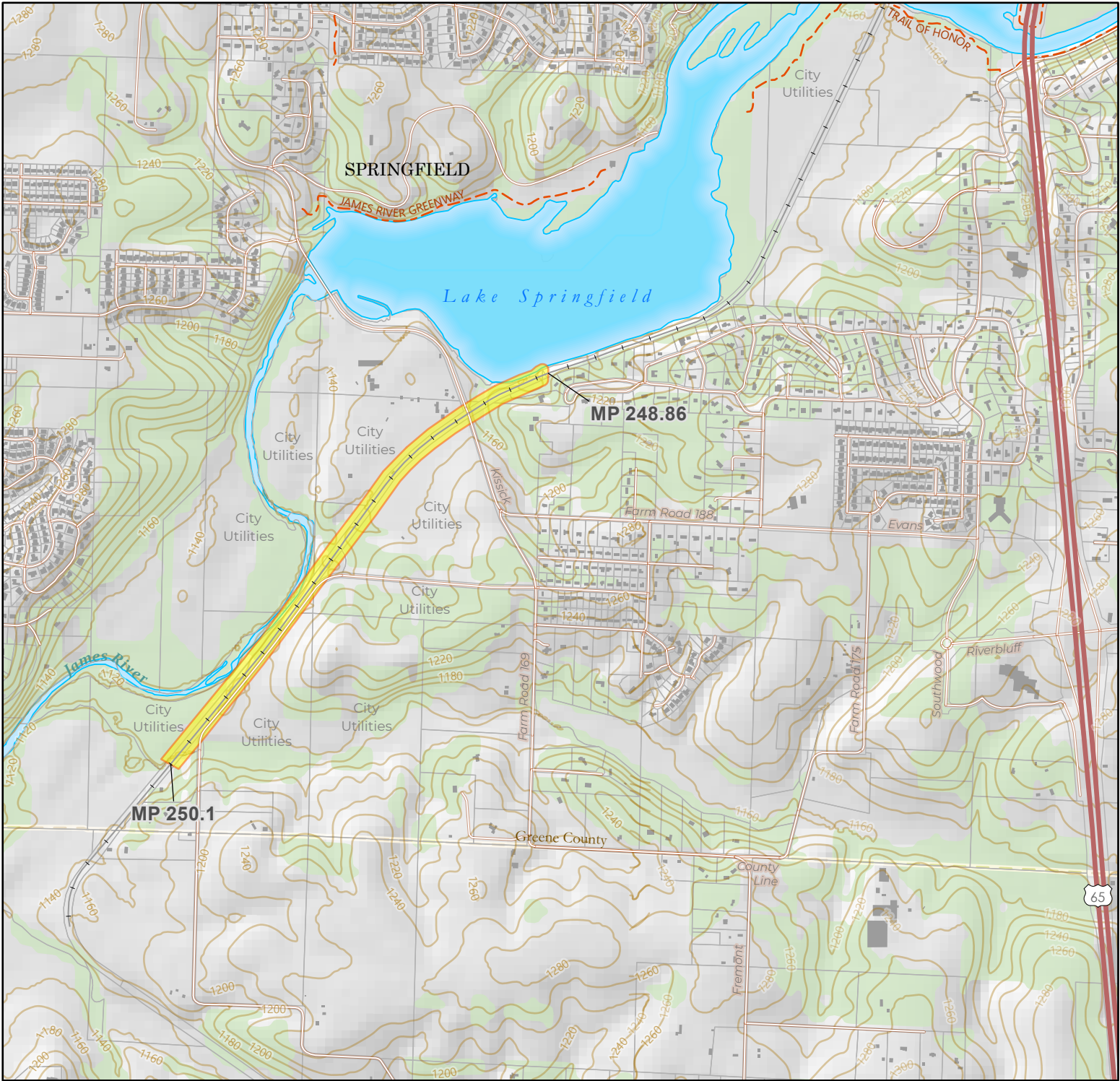
Docket No. AB 1319X
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Legend
— the Line

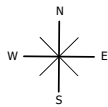
Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.



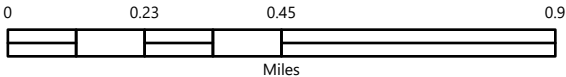
Project Area Location



- Project Area
- Waterbody
- Structures
- Land Parcels
- Woodlands
- Highway
- Railroad
- Minor Roads
- Existing Trails & Greenways
- Elevation Contours



Scale: 1:20,000



This map was prepared by the Ozarks Transportation Organization on 7/28/2021. Data sources include the National Hydrography Dataset, USGS LULC 2016 dataset, Greene County Assessor, Christian County Assessor, City of Springfield Open Data Portal: Road Centerlines, Missouri 7.5 Minute Series Quadrangle 30 meter Digital Elevation Models, and Microsoft/Bing Building Footprints.

Spatial Reference
Name: NAD 1983 StatePlane Missouri Central FIPS 2402 Feet