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OEA

SERVICE DATE – January 6, 2012

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB-1077X

**Wiregrass Central Railway, LLC —Abandonment Exemption —
in Coffee County, Ala.**

BACKGROUND

On November 9, 2011, Wiregrass Central Railway, LLC (WCR) filed a petition for exemption under 49 U.S.C. § 10502 with the Surface Transportation Board (Board) seeking to exempt from the prior approval requirements of 49 U.S.C. § 10903 WCR's abandonment of a 1.2-mile line of railroad extending between milepost 820.0 and milepost 821.2 in Enterprise, in Coffee County, Alabama (Line). A map depicting the Line in relationship to the area served is attached to this Environmental Assessment (EA).

WCR acquired the entire 21.2 miles of the Line from Wiregrass Central Railroad Company, Inc. (WCRR) in April of 2011. The Board authorized the acquisition and operation in *Wiregrass Central Railway, LLC—Acquisition and Operation Exemption—Wiregrass Central Railroad Company, Inc.*, STB Finance Docket No. 35489, (STB served April 22, 2-11). At the time that WCR acquired the Line, WCRR had already removed all of the track, ties and other materials from the Line. No traffic had moved over the Line since 1987. After the acquisition, no shippers came forward requesting rail service. WCR now seeks the Board's approval to abandon the Line so that it would not have to expend the significant funds needed to replace the track and track materials and maintain the Line once it had been rebuilt. Because the Line has already been salvaged, if the Board should approve the abandonment of the Line, no salvage activities would take place.

DESCRIPTION OF THE RAIL LINE

The area surrounding the Line is both urban and rural. According to WCR, the Line begins at milepost 820, traversing a relatively level rural farming area, just north of Enterprise, Alabama. It then travels northwest parallel to Main Street in Enterprise. The Line then turns north and runs parallel to Rocky Heap road before ending at milepost 821.1. There is no track on the Line from approximately 100 feet before milepost 820 to the end of the Line at milepost 821.1. The right-of-way is generally 100 feet wide and encompasses 14.6 acres of land. WCR states that there are no bridges or other structures that are 50 years old or older located on the Line. It also notes in its petition that WCR plans to leave the bridges and culverts necessary for interim trail use/rail banking in place. WCR plans to sell the real estate so that the Line may be converted to a trail (through interim trail use/rail banking) by an interested trails sponsor. As

stated earlier, if the Board should approve this abandonment, WCR would not engage in any salvage activities.

WCR states that the Line does not contain any Federally granted rights-of-way and traverses United States Postal Service Zip Code 36330. WCR also notes that there is one public and no private at-grade crossings.

ENVIRONMENTAL REVIEW

WCR submitted an Environmental Report that concludes that 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. WCR 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.

Diversion of Traffic

WCR states that no traffic has moved over the Line since 1987. Therefore, if the Board should approve abandonment of the Line, there would be no impact on existing regional or local transportation systems or patterns. WCR also notes that because no rail traffic has moved over the Line in more than 2 years that there would be no effect on the movement and/or recovery of energy resources, recyclable commodities, or change in overall energy efficiency.

Salvage

As noted above, all track, ties and other materials on the Line have already been salvaged. Therefore, if the Board should approve abandonment of the Line, no salvage activities would take place.

Comments

The Natural Resources Conservation Service states that the Line is located adjacent to soils classified as prime farmland. WCR states that it is unaware of any adverse effects the proposed abandonment would have on local and existing land use plans. Because no salvage activities would take place and no soil disturbance, either within or outside of the right-of-way, would occur, OEA concludes that the proposed abandonment of the Line would not impact land use.

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 1077X.

Because no salvage activities would occur and no rail traffic would be diverted, it does appear that the potential abandonment would adversely affect endangered or threatened species or areas designated as critical habitat. WCR notes in its Environmental Report that no wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed action. The U.S. Fish and Wildlife Service concurs with WCR and states that the project, as described, would have no significant impact on fish and wildlife resources.

WCR states that the proposed abandonment would be consistent with applicable water quality standards and that no permits under sections 402 or 404 of the Clean Water Act would be required. No designated wetlands or 100-year floodplains would be affected. WCR states in its Environmental Report that there are no known hazardous waste sites or sites where known hazardous material spills have occurred on or along the right-of-way.

In an email dated October 21, 2011, the U.S. Department of Commerce, National Geodetic Survey (NGS) states that there are no geodetic survey markers located in the area of the proposed abandonment.

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

HISTORIC REVIEW

In its Historic Report, WCR states that there are no bridges or structures that are 50 years old or older. As noted earlier, if approved, WCR would not engage in any salvage activities and intends to sell the Line to a trails group for interim trails use and/or railbanking, including existing bridges and culverts on the Line.

WCR states that there are no known subsurface ground disturbances, fill, or other environmental conditions that might affect the archeological recovery of any potential resources.

Brief History of the Line

In 1897, the Alabama Midland Railway was chartered in Alabama and chartered later that year in Georgia as the Alabama Terminal and Improvement Company. These 2 railroads were created to construct a rail line connecting Montgomery, Alabama, to Bainbridge, Georgia. The entire 175 miles of rail line was completed in 1890. The rail line was constructed under the direction of Joseph Washington Woolfolk with financial assistance from Henry B. Plant.

Mr. Plant was interested in seeking an Alabama extension for his Savannah, Florida & Western Railroad, which had its terminus at Bainbridge, Georgia. Soon after completion, the Plant Investment Company, purchased the rail line and incorporated it into the Plant System. Together the railroads formed a continuous mainline from Savannah, Georgia, to Montgomery, Alabama, and was colloquially known as the 'bow line' due to its distinctive shape.

As a result of the Civil War, the railroads of the South were severely damaged and many went bankrupt during the depression of 1873. It was during this time that Mr. Plant found his opportunity, and convinced of the eventual economic revival of the South, he bought, at foreclosure, the Atlantic and Gulf Railroad in 1879 and the Charleston and Savannah Railroad in 1880. With these railroads, he began building a transportation system that twenty years later included fourteen railroad companies with 2,100 miles of track, several steamship lines, and a number of important hotels. In 1882, Mr. Plant organized, with the assistance of Northern capitalists (among whom were M.K. Jesup, W.T. Walters, and Henry Morrison Flagler, who himself would be instrumental in the development of Florida's east coast) the Plant Investment Company, a holding company for the joint management of the various properties under his control. Mr. Plant reconstructed and extended several small railroads that provided continuous rail service across Florida and by providing better connections to the North, he gave Florida orange growers quicker and cheaper access to Northern markets.

The Atlantic Coast Line (ACL) took control of the Plant System on July 1, 1902. Ownership would remain with the ACL until its merger with the Seaboard Air Line in 1967 forming the Seaboard Coast Line and its subsequent merger with CSX Transportation (CXST) in 1986. WCRR acquired the Line from CXST and began operations over it in 1987. WCR acquired approximately 21.2 miles of railroad line between Waterford and Enterprise, Alabama, from WCRR in April 2011.

WCR has 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 Alabama Historical Commission (SHPO) pursuant to 49 C.F.R. § 1105.8(c). In a letter dated November 16, 2011, the SHPO states that the project activities would not have any effect on any known cultural resources listed on or eligible for the National Register of Historic Places. 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 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. 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>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the Native American consultation Database to identify federally-recognized tribes that may have ancestral connections to the project area.² The database indicated that the Eastern Band of Cherokee Indians of North

² Native American Consultation Database, <http://www.nps.gov/nacd/> (last visited December 25, 2011).

Carolina and the Muscogee (Creek) Nation of Oklahoma may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment. Accordingly, OEA is sending a copy of this EA to the above mentioned tribes for review and comment.

CONDITIONS

We recommend that no conditions be imposed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes 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 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 original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Troy Brady, 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-1077X in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Troy Brady, the environmental contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at Troy.Brady@stb.dot.gov.

Date made available to the public: January 6, 2012.

Comment due date: February 6, 2012.

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

Attachment

