

**SUPPLEMENTAL FINAL
ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 55 (SUB-NO. 712X)

June 23, 2014

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

In this proceeding, the CSX Transportation, Inc. (CSXT) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 to abandon approximately 9.67 miles of rail line on its Monticello Industrial Track (the Line), Monon Subdivision, in White County, Indiana. The Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on April 4, 2014 for public review and comment. In the EA, OEA recommended four environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

New Comments

The Board received a number of letters from local residents, businesses, and an economic development organization opposing the proposed abandonment and stressing the importance of the Line to the area. The Board also received a letter, dated March 10, 2014, from Monticello Farm Service, Inc. (MFS), the sole remaining customer on the Line, that disputes the traffic figures in CSXT's February 4, 2014 petition. As a provider of nitrogen fertilizer, MFS states that it received 26 rail shipments between October 30, 2013 and March 10, 2014 and expects this number to increase to between 90 and 120 in the next 12 months because its customers prefer using rail to ship their goods over other transportation modes.

In response to these comments, the Board issued a May 23, 2014 decision that raised certain questions about CSXT's petition and subsequently directed CSXT to file an amended petition. Specifically, the Board has required CSXT to respond to the issues raised by the commenters and make any necessary adjustments to its petition in terms of the forecast year data and traffic figures. On June 2, 2014, CSXT filed an amended petition that responds to these issues. Although CSXT does not agree with MFS's high projections, OEA has used MFS's

120 rail carload projection in this Supplemental Final EA to recalculate potential impacts that the proposed abandonment may have on air quality, energy, and transportation resources, as this value represents the worst case condition.¹

Conclusions

Using MFS's projected increase of 120 rail carloads, OEA calculated that if all the rail traffic is diverted to truck traffic, and using a rail-to-truck conversion factor for varied commodities of four trucks per one rail carload, there would be 480 truckloads (960 truckloads assuming an empty backhaul) of traffic on area roadways per year. Based on a 240 day work year, the 960 truck trips would add approximately 4.0 new trucks per day to area roads. The four truck per day value would not exceed the Board's thresholds 49 C.F.R. § 1105(e)(4)(iv)(A) of an increase of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment.

As previously concluded, OEA has determined that 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. OEA has therefore determined that no further analysis in these resource areas is warranted.

OEA recommends that the four conditions recommended in the EA should be imposed upon any decision granting abandonment authority. The conditions are:

1. CSX Transportation, Inc. (CSXT) shall consult with the Indiana Department of Natural Resources (DNR) Division of Fish and Wildlife, and the Division of Water's Technical Service Section prior to initiating salvage operations to determine the need to protect streams and other flowing waterbodies, and provide best management practices.
2. CSXT shall consult with the U.S. Army Corps of Engineers (Corps) prior to initiating salvage activities for potential impacts to waters of the United States, including wetlands, and shall comply with the reasonable requirements of the Corps.

¹ The 23 rail carload's OEA used in the April 4, 2014 EA to calculate potential impacts to air quality, energy, and transportation resources was an average value based on data from CSXT.

3. CSXT shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.
4. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, CSXT shall immediately cease all work and notify OEA, appropriate federally recognized tribes, and the DNR Division of Historic Preservation and Archaeology (State Historic Preservation Office or SHPO), pursuant to 36 C.F.R. § 800.13(b). OEA will then consult with the SHPO, appropriate federally-recognized tribes, the railroad, and other consulting parties, if any, to determine whether appropriate mitigation measures are necessary.

OEA concludes that if the above conditions are imposed, the proposed action would not significantly affect the quality of the human environment.

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