

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 794X)

**CSX Transportation, Inc.—Abandonment Exemption—
In Pinellas County, Fla.**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a notice with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in the City of St. Petersburg, Pinellas County, Florida (St. Petersburg). The rail line proposed for abandonment extends approximately 0.86 miles from milepost ARE 897.57 to milepost ARE 898.43 on the CSXT Clearwater Subdivision (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, CSXT would be able to salvage track, ties, and other railroad appurtenances and dispose of the right-of-way.

ENVIRONMENTAL REVIEW

CSXT submitted a combined Environmental and Historic 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. CSXT served the Environmental and Historic Report on 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

CSXT states that there has been no rail traffic on the Line for at least two years and that there is no overhead traffic. Accordingly, the proposed abandonment would not adversely impact the development, use, or transportation of energy resources or of recyclable commodities;

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 55 (Sub-No. 794X).

transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could significantly impact air quality or the local transportation network.

Salvage Activities

If abandonment authority is granted in this proceeding, CSXT intends to remove rail, crossties, and possibly the upper layer of ballast from the rail right-of-way. CSXT does not intend to remove or disturb any subgrade structures or rail-related structures.

Land Use

CSXT requested comments from Pinellas County and St. Petersburg regarding consistency of the proposed abandonment with existing local land use plans. By letter dated August 20, 2019, the St. Petersburg Planning and Development Services Department commented that the use of the Line as a recreational trail would be consistent with existing land use plans, including St. Petersburg's Comprehensive Plan, Complete Streets Plan, and City Trails Master Plan. St. Petersburg has filed a request with the Board for a Notice of Interim Trail Use, and CSXT has agreed to enter trail use negotiations with St. Petersburg. Because abandonment-related salvage activities would be limited in scope and confined to an existing rail right-of-way, OEA believes that the proposed abandonment, including the potential future use of the rail right-of-way as a trail, would be consistent with local land use plans and is not recommending any mitigation related to local land use planning.

CSXT requested comments from the U.S. Natural Resources Conservation Service (NRCS) related to the potential for the proposed abandonment to affect agricultural land but has received no response to date from NRCS. Because salvage activities would be limited in scope and would take place within an existing rail corridor in a heavily developed urban area, OEA believes that the proposed abandonment would not result in any impacts to prime or unique farmland. Accordingly, no mitigation related to agricultural land is recommended.

CSXT states, and OEA has confirmed, that the Line does not cross and is not immediately adjacent to any local, state, or federal forests, parks, wildlife sanctuaries or refuges, or other federally or state managed lands.² Accordingly, no mitigation related to public lands is recommended.

² U.S. Geological Survey, Protected Areas Database of the United States, <https://maps.usgs.gov/padus/> (last accessed September 10, 2019).

Coastal Zone Compliance

CSXT requested comments from the Florida Department of Environmental Protection (DEP) regarding consistency of the proposed abandonment with the Florida Coastal Management Program. By email dated August 9, 2019, DEP's Florida State Clearinghouse (SCH) stated that CSXT may proceed with the proposed abandonment. By phone consultation on September 9, 2019, OEA confirmed that the SCH email serves as DEP's official opinion regarding coastal zone consistency and that the proposed abandonment would be consistent with the Florida Coastal Management Program. OEA has reviewed the available information and concurs with DEP's opinion. Therefore, no mitigation related to coastal zone management is necessary or recommended.

Water Resources

Based on OEA's review of available satellite imagery and the U.S. Fish and Wildlife's (USFWS) National Wetlands Inventory, the Line does not cross and is not immediately adjacent to areas containing waterways or wetlands.³ Because salvage activities would be limited to the removal of rail, crossties, and possibly the upper layer of ballast from an existing rail right-of-way that does not cross any waterbodies or wetlands, OEA does not anticipate that the proposed abandonment would result in any impacts to water resources, including wetlands. Therefore, OEA is not recommending any mitigation related to water resources.

Hazardous Materials

CSXT states that there are no known hazardous waste sites or sites where hazardous material spills have occurred on or adjacent to the rail right-of-way. OEA's review of the area has confirmed that there are no federally-listed remediation sites within or immediately adjacent to the rail right-of-way.⁴ Because there are no known issues related to hazardous waste spills within the rail right-of-way and because no ground disturbance would occur during salvage, no mitigation related to hazardous waste sites or hazardous materials is necessary or recommended.

Biological Resources

The Line runs through downtown St. Petersburg, an urban area that has been developed for commercial, transportation, and industrial uses. OEA's review of available imagery of the area indicated that little natural habitat remains in the vicinity of the Line that would be suitable

³ U.S. Fish and Wildlife Service, National Wetlands Inventory, <https://www.fws.gov/wetlands/data/mapper.html> (last accessed September 4, 2019).

⁴ Environmental Protection Agency, NEPAassist, <https://www.epa.gov/nepa/nepassist> (last accessed September 4, 2019).

for native wildlife. Vegetation within the rail corridor is limited to grass that has grown between the tracks and ties since rail traffic ceased.

CSXT sent a copy of its Environmental Report to USFWS and requested that USFWS provide comments related to the proposed abandonment's potential to affect wildlife, including federally listed threatened and endangered species. To date, USFWS has not provided comments. To identify federally listed threatened and endangered species that could be present in the project area, OEA conducted a search of the USFWS Information, Planning, and Conservation (IPaC) system.⁵ The table below shows the federally listed endangered and threatened species known or thought to occur in Pinellas County, as identified by OEA's search. OEA notes that the project area does not contain critical habitat for any of the species identified.

Federally Listed Protected Species in Pinellas County, Florida	
Mammals	Status
West Indian Manatee (<i>Trichechus manatus</i>)	Threatened
Birds	
Eastern Black Rail (<i>Laterallus jamaicensis ssp. jamaicensis</i>)	Threatened
Piping Plover (<i>Charadrius melodus</i>)	Threatened
Red Knot (<i>Calidris canutus rufa</i>)	Threatened
Red-cockaded Woodpecker (<i>Picoides borealis</i>)	Endangered
Wood Stork (<i>Mycteria Americana</i>)	Threatened
Reptiles	
Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)	Threatened
Gopher Tortoise (<i>Gopherus polyphemus</i>)	Candidate
Hawksbill Sea Turtle (<i>Eretmochelys imbricata</i>)	Endangered
Leatherback Sea Turtle (<i>Dermochelys coriacea</i>)	Endangered
Loggerhead Sea Turtle (<i>Caretta caretta</i>)	Threatened
Fishes	
Atlantic Sturgeon (<i>Acipenser oxyrinchus desotoi</i>)	Threatened
Flowering Plants	
Florida Golden Aster (<i>Chrysopsis floridana</i>)	Endangered

Because the Line is located in a heavily developed urban area and does not cross and is not adjacent to any waterways, OEA believes that no suitable habitat for any of the species listed above is present in the project area. Individual birds may pass through the rail corridor on a transient basis but would be unlikely to be affected by the limited salvage activity planned.

⁵ U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <https://ecos.fws.gov/ipac/> (last accessed September 4, 2019).

Therefore, based on the information provided by CSXT and OEA's independent review, OEA has concluded that the proposed abandonment would have ***no effect*** on federally listed threatened and endangered species, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. § 1538). Because salvage activities would be limited in scope and would take place within an existing rail right-of-way in a heavily developed urban area, OEA also concludes that the proposed abandonment would have negligible impacts on other species of wildlife. Accordingly, no mitigation related to biological resources is necessary or recommended. OEA is sending a copy of this EA to USFWS for review and comment.

Air Quality

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Therefore, no mitigation related to air quality is recommended.

Noise

Noise associated with salvage activities would be temporary and should not have a significant impact on the area surrounding the proposed abandonment. Therefore, no mitigation related to noise impacts is recommended.

Summary

Based on all information available to date, OEA believes that the proposed abandonment, including abandonment-related salvage activities, would not result in any significant environmental impacts.

HISTORIC REVIEW

Historical Background

According to CSXT, the Line was originally part of the Tampa Bay and Gulf Railroad Company (TBGR) system, which was constructed between 1910 and 1914. In 1915, TBGR was acquired by the Seaboard Air Line Railroad (SAL). SAL merged with the Atlantic Coast Line to form the Seaboard Coast Line (SCL) in 1967. SCL and its sister railroads operated for some time thereafter as the "Family Lines System" and were operated independently under one holding company, Seaboard Coast Line Industries (SCL Industries). In 1980, SCL Industries merged with Chessie System, Inc. to become CSX Corporation, thus combining both system's railroads. Beginning in 1983, the SCL merged with other Family Line railroads to form the Seaboard System Railroad, Inc., which changed its name in 1986 to CSXT.

Section 106 Review

Pursuant to Section 106 of the National Historic Preservation Act (36 C.F.R. Part 800), CSXT initiated consultation with the Florida Division of Historic Resources (the State Historic Preservation Officer or SHPO) by providing the SHPO with a copy of its Historic Report prior to filing its notice of exemption with the Board.⁶ To date, the SHPO has not commented on the potential for the proposed abandonment to affect historic properties listed in or eligible for listing in the National Register of Historic Places (National Register) within the rail right-of-way (the Area of Potential Effect or APE). SCH, however, did provide comments by email stating that CSXT may proceed with the proposed abandonment. By phone consultation with SCH on September 10, 2019, OEA confirmed that the SCH email serves as SCH's opinion that no historic resources would be affected by the proposed abandonment. OEA has reviewed the available information and concurs with SCH, for the reasons below.

In its review of available current and historic imagery of the Line, OEA concluded that the rail line is of ordinary design and construction, consisting of jointed steel track on wooden crossties and a layer of stone ballast. There are no bridges, culverts, or other structures on the Line. Based on the information available to date, the Line does not appear to be associated with events that have made significant contribution to the broad patterns of history or with lives of significant historical persons. The Line also does not embody distinctive characteristics of a type, period, or method of construction and does not represent the work of a master or possess high artistic value. Because salvage activity would not involve subsurface disturbance, the proposed abandonment would be unlikely to affect any previously undiscovered archeological sites.

Therefore, OEA finds that the proposed abandonment would have ***no effect*** on historical properties that are listed in or eligible for listing in the National Register within the APE. The documentation for that 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.gov>. In order to give the SHPO sufficient time to comment on OEA's finding, OEA is recommending that the Board impose a condition barring CSXT from consummating the proposed abandonment

⁶ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act. Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found at [https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation of 106 in Rail Abandonments.pdf](https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation%20of%20106%20in%20Rail%20Abandonments.pdf).

until the Section 106 process has been completed. If the SHPO does not object to OEA's finding or does not comment within 30 days of receipt of OEA's finding, OEA will prepare a Supplemental Final EA recommending that the Board remove the Section 106 condition, pursuant to 36 C.F.R. § 800.5(c).

Tribal Consultation

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development Tribal Directory Assessment Tool to identify federally recognized tribes that may have ancestral connections to the project area.⁷ The search identified the following federally recognized tribes as potentially having knowledge regarding properties of traditional religious and cultural significance within the right-of-way of the proposed abandonment:

- Miccosukee Tribe of Indians; and
- Muscogree (Creek) Nation.

Accordingly, OEA is sending a copy of this EA to these tribes for review and comment.

CONDITIONS

OEA recommends that the following condition be imposed on any decision granting abandonment authority:

- 1. CSX Transportation, Inc. (CSXT) 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, 54 U.S.C. § 306108, has been completed. CSXT shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Florida Division of Historic Resources, as the State Historic Preservation Officer, and the public. CSXT 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.**

⁷ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tadat/> (last accessed September 6, 2019).

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, if the condition above is imposed, the proposed abandonment 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 would 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

Requests for a notice of interim trail use (NITU) are 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 EA, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Josh Wayland, 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 55 (Sub-No. 794X) in all correspondence,**

including e-filings, addressed to the Board. If you have any questions regarding this Environmental Assessment, please contact Josh Wayland, the environmental contact for this case, by phone at (202) 245-0330, fax at (202) 245-0454, or e-mail at joshua.wayland@stb.gov.

Date made available to the public: September 13, 2019

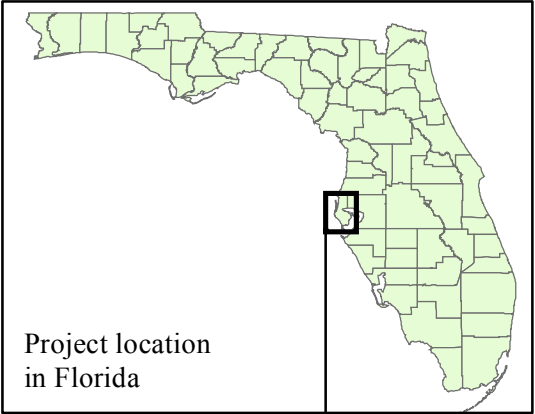
Comment due date: September 30, 2019

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

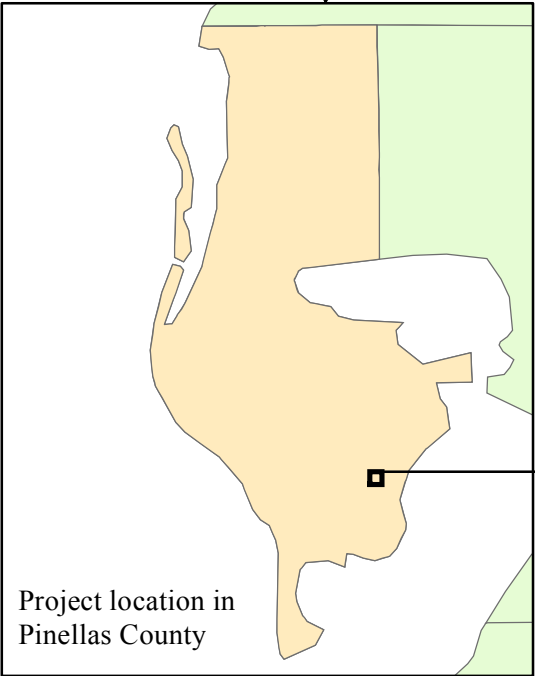
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CSX Transportation, Inc.
Abandonment Exemption
in Pinellas County, Florida

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



Project location
in Florida



Project location in
Pinellas County

