

SERVICE DATE – JULY 3, 2018

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 778X)

CSX Transportation, Inc. – Abandonment Exemption – in Fulton County, Ga.

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a notice under 49 U.S.C § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 to abandon approximately 2.04 miles of rail line in Fulton County, Georgia. The 2.04 miles of rail line proposed for abandonment extends from milepost ANB 862.66 to milepost ANB 862.95 and from former milepost ANB 862.66 to milepost former ANB 863.94, including any industrial leads or spur tracks (the Line). A map depicting the Line in relationship to the area served is appended to this EA. If the notice becomes effective, 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

CSXT states that the Line is referred to as the Kudzu line in its Southern Region, Atlanta Division, Atlanta Terminal Subdivision. CSXT also states that the proposed abandonment would result in the removal of rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub-grade or sub-grade structures or to remove any bridges, trestles, culverts or tunnels.

ENVIRONMENTAL REVIEW

CSXT 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. CSXT 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 [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.

¹ The railroad's 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. 778X).

Diversion of Traffic

According to CSXT, no local traffic has moved over the Line for at least two years, and there is no overhead traffic to be rerouted. Accordingly, 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.

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.

CSXT states that it would use the existing right-of-way for access, and no new access roads are contemplated. According to CSXT, salvage activities would not cause sedimentation or erosion of the soil, and CSXT does not anticipate in-stream work, dredging, or use of fill when removing the track material. Under these circumstances, CSXT believes that no permits under Section 404 of the Clean Water Act would be required for the proposed abandonment. OEA is providing the Corps with a copy of this EA for its review and comment.

CSXT 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, Planning, and Conservation (IPaC) system.² One endangered species, Michaux's Sumac, a flowering plant, is located in the area of the proposed abandonment. OEA has determined that the proposed abandonment would have no effect on this species because it is unlikely that it would be present in the right-of-way due to the routine maintenance typical of rail lines. OEA is providing USFWS a copy of this EA for its review.

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

² U.S. Fish and Wildlife Service, Information, Planning, and Conservation System, <http://ecos.fws.gov/ipac/> (last visited 6/27/18).

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 Board's service list for this proceeding, OEA is providing a copy of this EA to USFWS and the Corps for their review and comment.

HISTORIC REVIEW

CSXT served the historic report on the Georgia State Historic Preservation Officer (SHPO), pursuant to 49 C.F.R. § 1105.8(c).³ SHPO submitted a comment stating that the Line proposed for abandonment is a contributing element to the National Register of Historic Places-eligible Atlanta, Birmingham, and Coast Railroad. Because CSXT is negotiating a trail use agreement for the Line that includes a contingency to provide for future Section 106 compliance, as needed, SHPO stated that the proposed abandonment would have no adverse effect to historic properties at this time. After reviewing the record and SHPO's comments, OEA is recommending a condition requiring the railroad to 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) eligible for listing or listed in the National Register of Historic Places until completion of the Section 106 process. Should a trail use agreement be reached, the Section 106 condition will be held in abeyance until interim trail use ceases, and the Line is fully abandoned. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.gov/stb/environment/preservation.html>.

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,⁴ to identify federally-recognized tribes which may have ancestral connections to the project area. The search indicated that the Alabama-Coushatta Tribe of Texas, the Alabama-Quassarte Tribal Town, the Coushatta Tribe of Louisiana, and the Muscogee (Creek) Nation 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 these tribes for their review and comment.

³ 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 (NHPA). 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 on the Board's website 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).

⁴ U.S. Department of Housing and Urban Development (<https://egis.hud.gov/tdat/>) (last visited 6/27/18).

CONDITIONS

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

CSXT 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 Georgia Department of Natural Resources, Historic Preservation Division (State Historic Preservation Office or SHPO) 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.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended condition is 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 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 (OPAGAC) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPAGAC directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Danielle Gosselin, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-55 (Sub-No. 778X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Danielle Gosselin, the environmental contact for this case, by phone at (202) 245-0300, fax at (202) 245-0454, or e-mail at danielle.gosselin@stb.gov.

Date made available to the public: July 3, 2018.

Comment due date: July 17, 2018.

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

Attachment



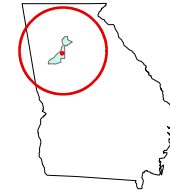
Docket No. AB 55 (Sub-No. 778X)

CSX Transportation, Inc.
Abandonment Exemption
Atlanta, Fulton County, GA
Kudzu Line

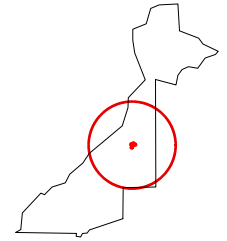
Legend

— the Line

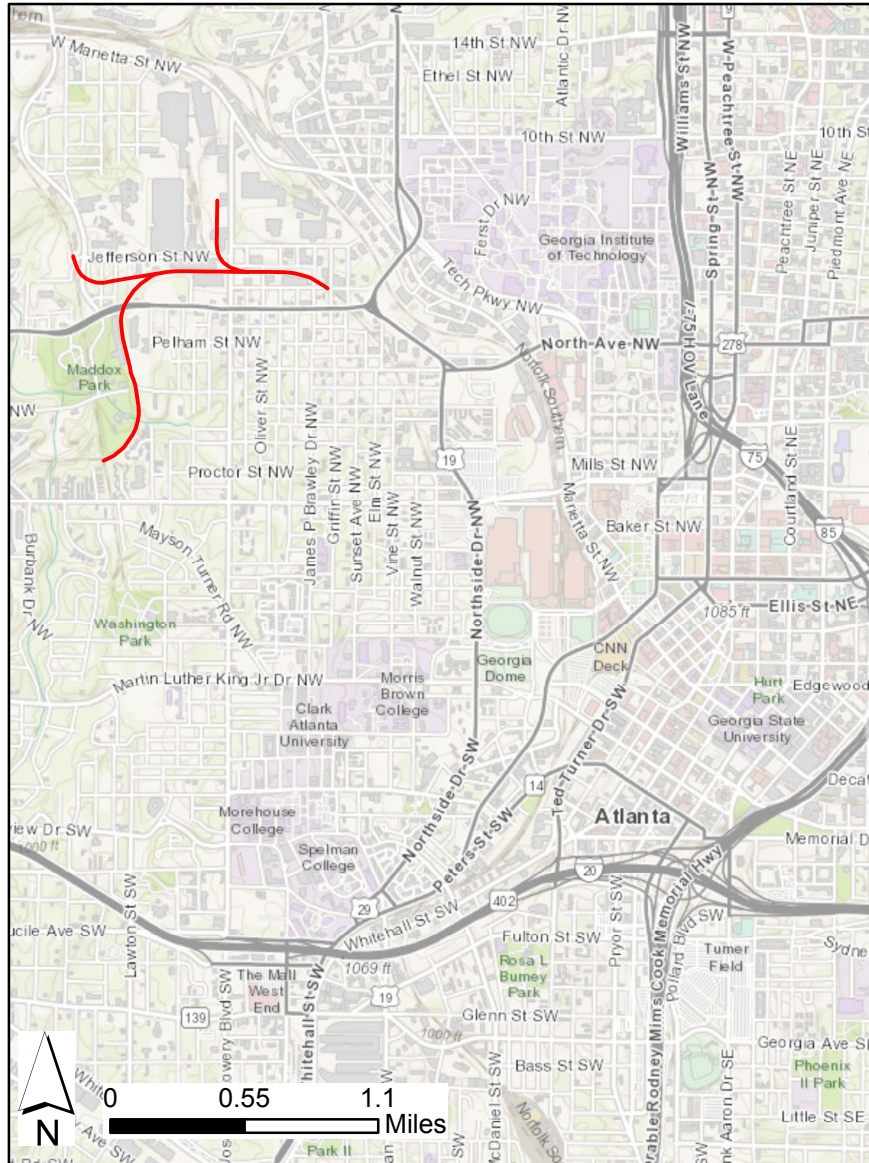
Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the railroad applicant and are for reference purposes only.



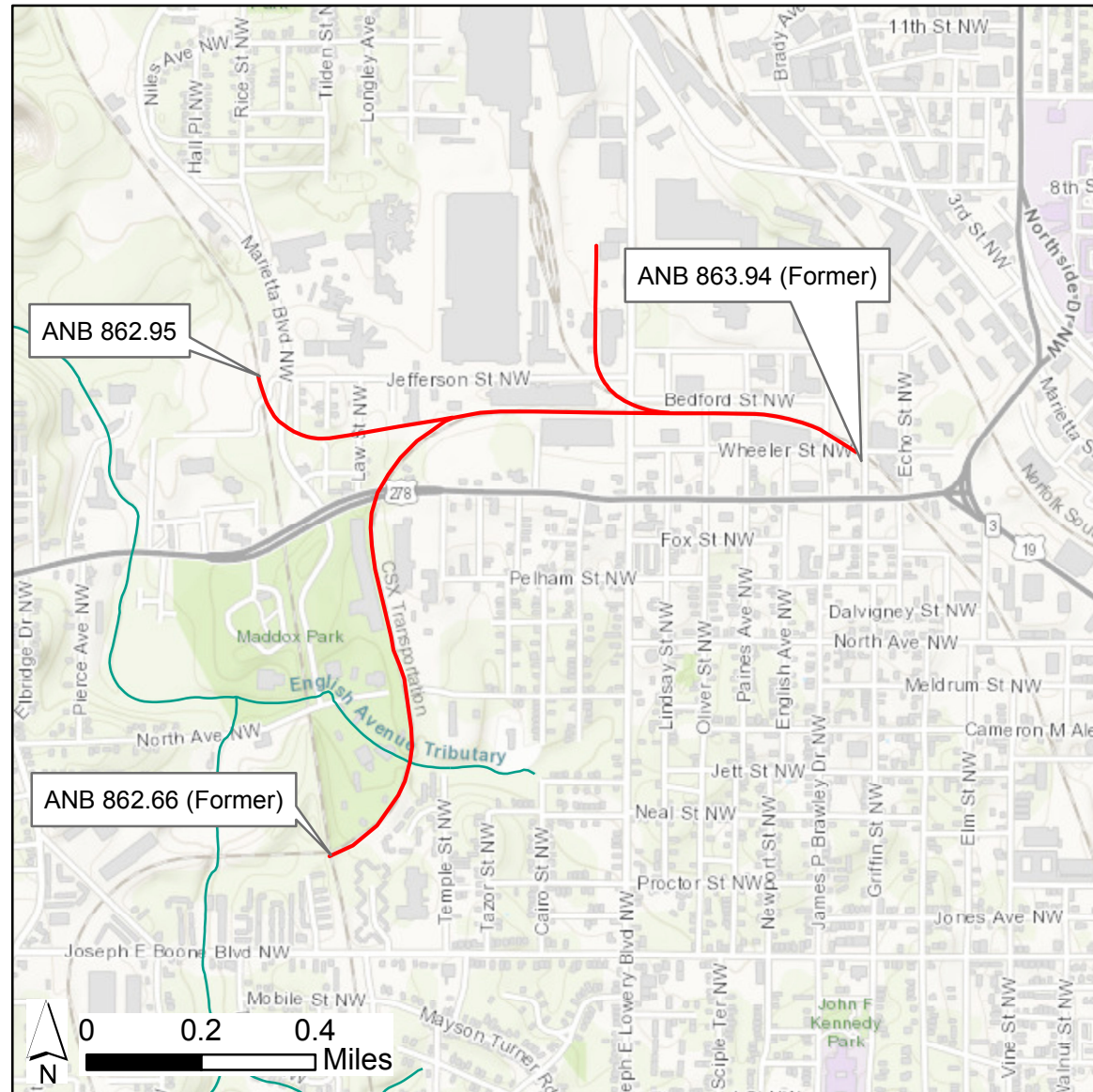
Location in State



Location in County



The Line and Wide Extent



The Line and Surrounding Area



**CSX Transportation, Inc.
Proposed Abandonment
Atlanta, Fulton County, GA
Kudzu Line**

**Milepost Former ANB 862.66 - Former ANB 863.94
Total Distance of Approx. 2.04 Miles
Atlanta Division - Atlanta Terminal Subdivision
STB Docket No. AB 55 (Sub-No. 778X)**

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Feet

