

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 463 (Sub-No. 2X)
Alabama Railroad Co. – Abandonment Exemption –
in Escambia, Conecuh, and Monroe Counties, Ala.

BACKGROUND

In this proceeding, Alabama Railroad Co. (ALAB) filed a notice of exemption 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 Escambia, Conecuh, and Monroe Counties, Alabama. The rail line proposed for abandonment extends approximately 47.5 miles from approximately Milepost 607.73 at Flomaton to approximately Milepost 655.2 near Tunnel Springs, including all sidings and the MR Junction Spur between valuation stations 0+00 and 90+81 (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, ALAB will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

ALAB submitted an Environmental Report that concludes 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. ALAB 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.

The Line constitutes the remainder of a branch line that once extended in southwest Alabama from Flomaton to Corduroy. CSX Transportation sold the 61-mile branch line to the Wabash and Grand River Railway Co. (WGRR) in 1991. WGRR sold the entire branch line to ALAB later in 1991. ALAB's corporate parent, Pioneer Railcorp, simultaneously obtained regulatory authority to control ALAB as the newest addition to its short line family. ALAB abandoned the northern portion of the branch line from Milepost 662.62 at Beatrice to Milepost 666.3 at Corduroy in 1995. ALAB was granted abandonment authority for the segment between Milepost 655.2 near Tunnel Springs and Milepost 662.62 near Beatrice in 2013, resulting in the

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 463 (Sub-No. 2X).

Line's current configuration. ALAB has no historical records relating to the Line aside from this recent ownership history.

The Line runs through forested land, rural farmland, and small towns. The topography is flat with some rolling hills. The right-of-way is generally 100 feet wide. ALAB has a mix of fee simple, easement, and other types of real property interest in the right-of-way underlying the Line. The Line does not contain any federally granted right-of-way. The Line may be suitable for alternate public use.

Diversion of Traffic

ALAB has not provided local or overhead traffic over the Line during the past two years. Any overhead traffic could be rerouted over other lines. There are no customers served on the Line. 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.

ALAB indicates that, should the Board grant abandonment authority here, the Line's rail and related track material would be salvaged. Salvage would consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed would remain as is, and existing drainage systems would remain intact. Following removal of the rail and track material, the salvage contractor would smooth the roadbed to a level surface. No ballast would be removed, and no soil disturbance would occur. No digging or burying of any kind would be permitted. All salvaged steel components would either be reused or sold as scrap. Crossties would be reused in other railroad operations, or they would be recycled in accordance with applicable federal and state laws and regulations. The right-of-way would either be disposed of or the easements would be relinquished. The corridor may be preserved under an interim trail use arrangement. Monroe County has expressed an interest in establishing trail use for the right-of-way.

ALAB believes that the proposed abandonment is consistent with existing land use plans. ALAB does not believe that any prime agricultural land would be affected by the proposed abandonment. ALAB has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in areas adjacent to the Line.

ALAB does not expect any discernable effects on wetlands or 100-year flood plains in connection with the proposed abandonment. The Line is not located in a coastal zone. As discussed above, ALAB has no plans to undertake in-stream work or dredge and/or use any fill materials in connection with the proposed abandonment. ALAB believes that salvage activities related to the proposed abandonment would be consistent with applicable water quality standards and no permits under Sections 402 or 404 of the Clean Water Act or National Pollutant Discharge Elimination System permits would be required. The U.S. Army Corps of Engineers, Mobile District has indicated that it does not anticipate any adverse environmental impacts as a result of the proposed abandonment and related salvage activities.

No wildlife sanctuaries, refuges, national or state parks, or forests would be adversely affected by the proposed abandonment. The U.S. Fish and Wildlife Service, Alabama Ecological Services Field Office (USFWS) has identified the Gray bat, Indiana bat, Red Hills salamander, and the Orange-nacre mucket as federally endangered, threatened, or candidate species potentially present in the project area. Based on the information provided, USFWS does not expect any impacts to these species in connection with salvage related activities. USFWS indicates, however, that suitable habitat for the threatened Red Hills salamander is known to be adjacent to the rail line and within the right-of-way in areas of Monroe County. USFWS recommends that no equipment or materials be stored or placed on any steep slopes in these areas. USFWS also recommends the use of best management practices during salvage activities to protect suitable habitat and conserve the species. Accordingly, to address USFWS's concerns about the Red Hills salamander, OEA recommends a condition requiring that ALAB refrain from storing or placing equipment or materials on any steep slopes and implement the use of best management practices while conducting salvage activities in Monroe County. OEA has determined that, with the implementation of the recommended mitigation measure, no federally endangered, threatened, or candidate species would be adversely affected by salvage activities and there would be no adverse effect on areas designated as critical habitat. OEA is providing a copy of this EA to USFWS for review and comment.

The U.S. Environmental Protection Agency, Region 4 NEPA Program Office has reviewed the Environmental Report and did not identify any significant environmental impacts associated with the proposed rail line abandonment and related salvage activities.

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.

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

HISTORIC REVIEW

ALAB submitted a 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 (Alabama State Historic Preservation Office or SHPO) pursuant to 49 C.F.R. § 1105.8(c).²

ALAB indicates that there are 60 bridges on the Line that may be 50 years old or older. ALAB does not know when the bridges were built and has no construction or engineering records that could aid in determining likely construction dates. ALAB has not undertaken any major improvements to the bridges during its ownership. ALAB does not anticipate removing or dismantling any of the bridges. In ALAB's opinion, none of the bridges meet the criteria for listing in the National Register of Historic Places (National Register). None of the bridges appear to have unique or otherwise significant design characteristics or are linked to events of historic significance. ALAB does not believe that there are archeological resources or other previously unknown historic properties near the Line. ALAB has no knowledge of any prior subsurface ground disturbance or environmental conditions that might affect the archaeological recovery of resources.

The SHPO has not yet commented and, therefore, OEA has not been able to consider the SHPO's opinion in determining the impact of the proposed abandonment on historic resources. Accordingly, OEA recommends 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 until completion of the Section 106 process. 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's tribal directory assessment tool to identify federally-recognized tribes that may have ancestral connections to the project area.³ The database identified the Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Choctaw

² 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).

³ U.S. Department of Housing and Urban Development, <http://egis.hud.gov/tadat> (last visited April 11, 2019).

Nation of Oklahoma, Coushatta Tribe of Louisiana, Mississippi Band of Choctaw Indians, Muscogee (Creek) Nation, and the Poarch Band of Creeks as federally-recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the APE of the proposed abandonment. OEA is sending a copy of this EA to these tribes for review and comment.

CONDITIONS

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

1. Alabama Railroad Co. (ALAB) 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. ALAB shall report back to the Office of Environmental Analysis regarding any consultations with the Alabama Historical Commission (SHPO) and the public. ALAB 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.
2. To address the U.S. Fish and Wildlife Service's concerns about the federally threatened Red Hills salamander and its habitat, Alabama Railroad Co. shall not store or place equipment or materials on any steep slopes in Monroe County and shall implement the use of best management practices while conducting salvage activities.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that, as currently proposed, and if the recommended conditions are imposed, 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 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

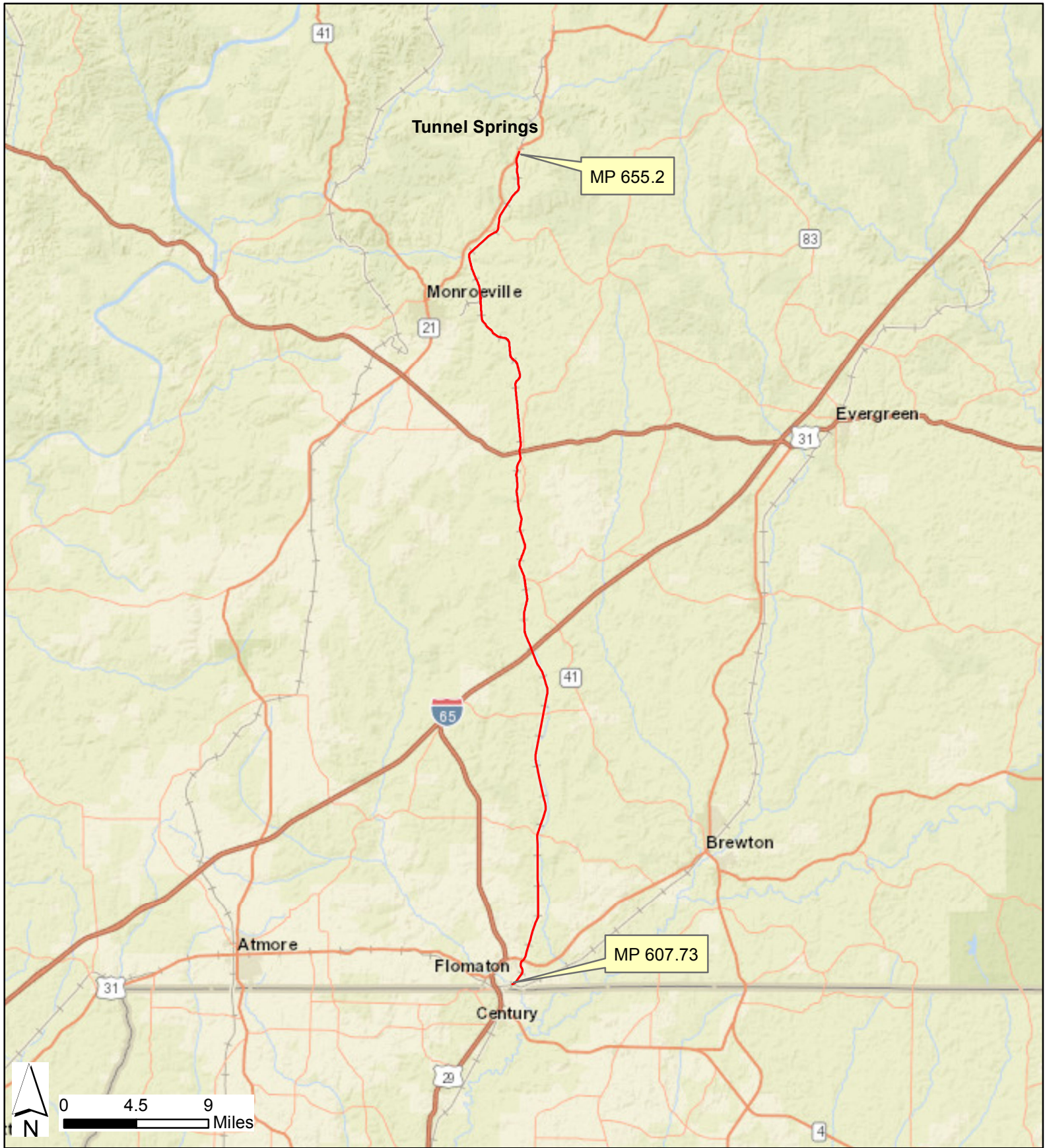
If you wish to file comments regarding this Environmental Assessment, send original and 2 copies to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 463 (Sub-No. 2X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at Kenneth.Blodgett@stb.gov.

Date made available to the public: April 23, 2019.

Comment due date: May 8, 2019.

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

Attachment



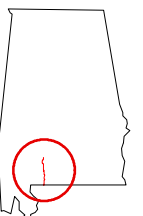
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Legend

— 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.



Location in State