

SERVICE DATE – NOVEMBER 9, 2018

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 784X)

**CSX Transportation, Inc. – Abandonment Exemption –
In Cobb County, Ga.**

BACKGROUND

In this proceeding, CSX Transportation, Inc. (CSXT) filed a verified notice under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment and discontinuance of service of approximately 2.3 miles of rail line on its Atlanta Terminal Subdivision, Atlanta Division, located between milepost SG 579.29 and milepost SG 581.61, in Cobb County, Georgia (the Line). The Line begins just east of Plant Atkinson Road in Smyrna then proceeds west crossing North Church Lane SE, Old Atlanta Station Drive, Highway I-285, South Cobb Road, Camp Highland Road and the East-West Connector. The Line terminates at the eastern edge of the 12.8-mile Silver Comet Trail. CSXT indicates that it is working with the State of Georgia to transfer the corridor and convert the Line to a trail under a Notice of Interim Trail Use (NITU) agreement that would extend the adjoining trail system.

The Line traverses United States Zip Codes 30080 and 30082, and CSXT states that the right-of-way varies from between 90 to 200 feet in width. CSXT notes that there is one station on the Line at Edna. Based on information in its possession, CSXT states that the Line does not contain any federally granted rights-of-way. A map depicting the Line in relationship to the area served is appended to this Environmental Assessment (EA).

ENVIRONMENTAL REVIEW

CSXT 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. 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 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. 784X).

Diversion of Traffic

According to CSXT, no local traffic has moved over the line for at least two years and overhead traffic can and has been 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 construction of new access points to the right-of-way. If abandonment authority is granted, CSXT intends to salvage the rail, ties, and track materials. CSXT does not intend to disturb or salvage any sub-grade or sub-grade structures, including bridges and culverts. If the rail line should become a trail under the National Trails System Act, the corridor and any trail-related structures would remain in place.

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.

By letter sent October 30, 2018, the U.S. Fish and Wildlife Service (USFWS) commented that the proposed abandonment is not expected to significantly impact fish and wildlife resources under its jurisdiction. Accordingly, OEA is not recommending any mitigation related to impacts to federal species of concern but has included USFWS in the service list for this proceeding so that it may review the EA and provide additional comments, if necessary.

OEA has not received comments from the U.S. Army Corps of Engineers' (Corps) on whether a Section 404 permit under the Clean Water Act (33 U.S.C. § 1344) may be required. CSXT has stated that its salvage operations would not result in the discharge of dredged or fill material into waters of the United States; that salvage would be conducted in the existing right-of-way, along existing public and private crossings; that no new access roads are contemplated; that it does not intend to disturb any of the underlying road bed or perform any activities that would result in sedimentation or erosion of the soil; that no dredging or use of fill material would occur in removing the track and ties and that crossties and other debris would be transported away from the rail line and associated water resources; and finally, that it would use appropriate measures during salvage to prevent and control spills from fuels, lubricants and other pollutants from entering any waterways. Accordingly, OEA is not recommending any mitigation related to impacts to waters of the United States but has included the Corps' in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

OEA has not received comments from the U.S. Environmental Protection Agency (USEPA). CSXT has indicated that there are no known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way proposed for abandonment. Additionally, OEA believes the proposed abandonment would not have a significant impact on water quality, given CSXT's salvage procedure of minimal disturbance. Accordingly, OEA is not recommending any mitigation related to the need for a Section 402 permit under the Clean Water Act (33 U.S.C. § 1342) but has included USEPA in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

OEA has not yet received responses from several other federal, state and local agencies regarding potential environmental impacts from the proposed abandonment. In addition to the previously mentioned agencies, OEA is sending a copy of this EA for review and comment to the National Park Service; the U.S. Department of Agriculture Natural Resources Conservation Service; the National Geodetic Survey; the Governor's Office of Planning and Budget; the Georgia Department of Natural Resources; the Cobb County Planning Commission; the Cobb County Board of Commissioners; and the Smyrna City Administrator.

HISTORIC REVIEW

CSXT submitted the historic report on the Georgia Department of Natural Resources, Historic Preservation Division (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).² The report indicates that the line proposed for abandonment was originally part of a larger line between Atlanta, Georgia, and Birmingham, Alabama. The original line was partly built by the East & West Railroad (E&W) beginning in 1882 as a narrow-gauge line and was completed by Seaboard Air Line (SAL). The E&W became part of the Atlanta & Birmingham Air Line, a subsidiary of SAL in 1903, and changed hands several times thereafter to become CSX Corporation. The Silver Comet passenger train operated over the Line from 1947 until June of 1969. As previously stated, the Line ends at the eastern edge of the current Silver Comet Trail. CSXT states that there is one bridge structure that is 50 years old or older. Bridge SG 580.70 was built in 1939 and has a timber-ballasted deck with a lap-cord superstructure that crosses a stream.

By letter dated October 18, 2018, the SHPO commented that, as it has previously stated and as further documented in *Georgia's Railroads, 1833-2015: Historic Context and Statewide Survey*, most railroads in the State of Georgia are eligible for listing in the National Register of Historic Places (National Register) under Criteria A and C for transportation and engineering. Accordingly, the SHPO finds that the Line is eligible for listing in the National Register, and that

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. 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).

removing it out of federal control through the abandonment process constitutes an adverse effect, pursuant to 36 C.F.R. § 800.5(a)(2). The SHPO indicates that further consultation is necessary to avoid or reduce the adverse effect the proposed abandonment would have on the associated historic properties. Accordingly, OEA is recommending a condition requiring CSXT 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 Tribal Directory Assessment Tool to identify federally recognized tribes that may have ancestral connections to the project area.³ The database indicates that there are five federally recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way or APE of the proposed abandonment. The tribes are: the Alabama-Coushatta Tribe of Texas; the Alabama-Quassarte Tribal Town; the Coushatta Tribe of Louisiana; the Eastern Band of Cherokee Indians; and the Muscogee (Creek) Nation. OEA is sending a copy of the EA to these tribes for their review and comment.

CONDITION

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

1. 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. § 30610816, 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.

³ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tadat/> (last visited November 1, 2018).

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that if the condition above is imposed by the Board, 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 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 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 Assistance, Governmental Affairs, and Compliance, 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 Diana Wood, 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. 784X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Diana Wood, the environmental

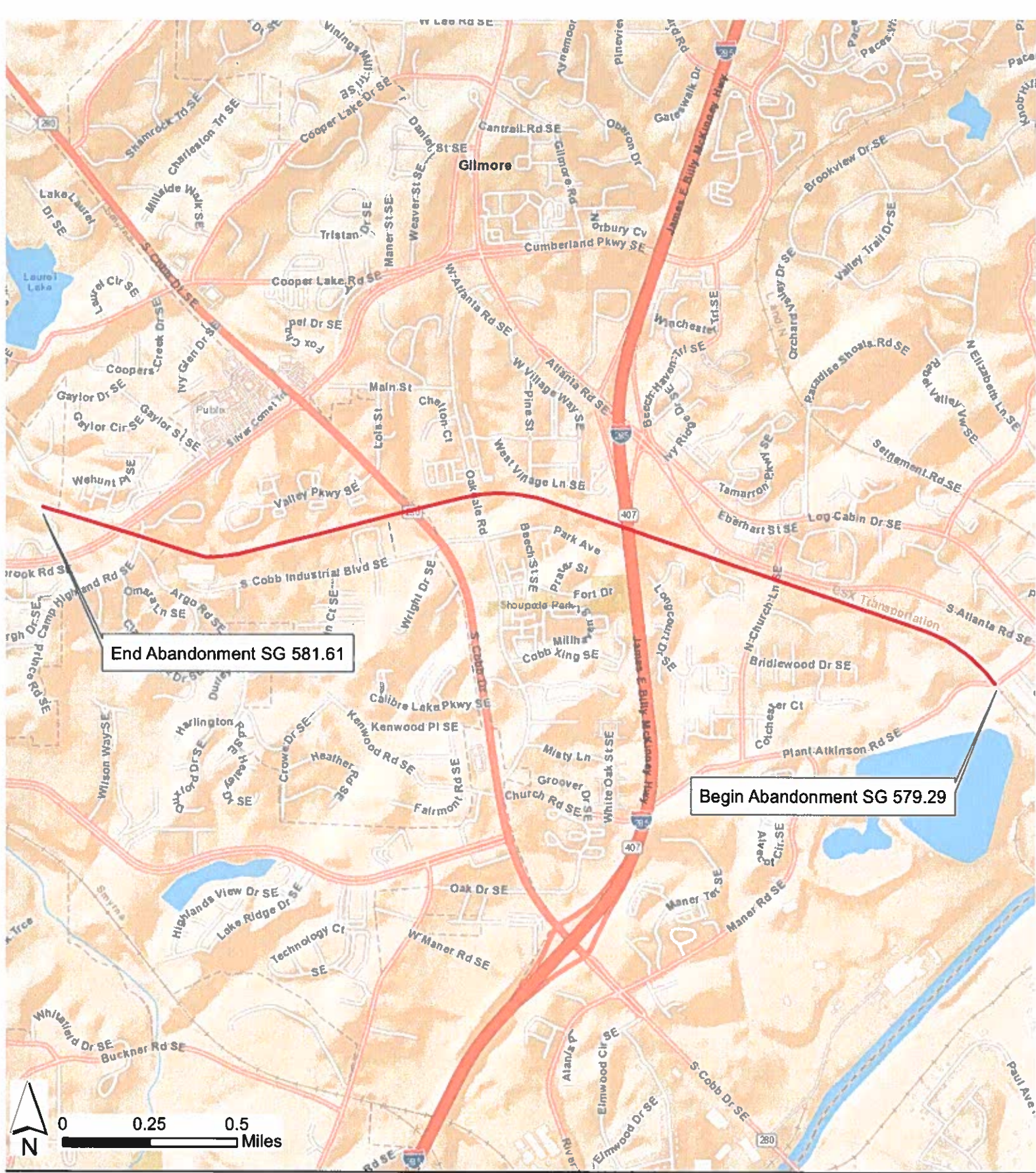
contact for this case, by phone at (202) 245-0302, fax at (202) 245-0454, or e-mail at Diana.Wood@stb.gov.

Date made available to the public: November 9, 2018.

Comment due date: November 27, 2018.

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

Attachment



Docket No. AB 55 (Sub-No. 784X)

CSX Transportation, Inc.
Abandonment Exemption
Saratoga and North Creek Railway
Cobb County, GA

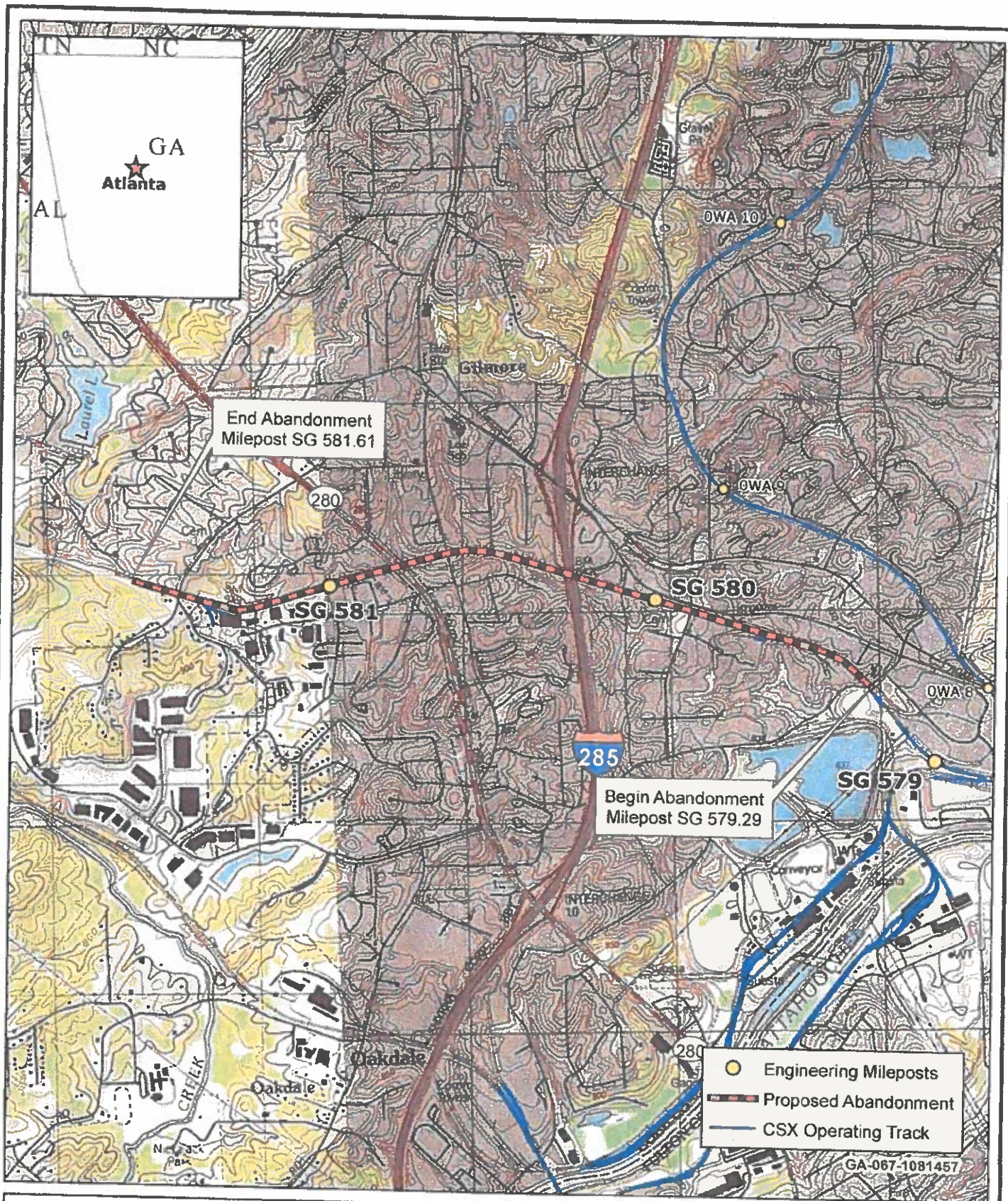
Legend

— 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

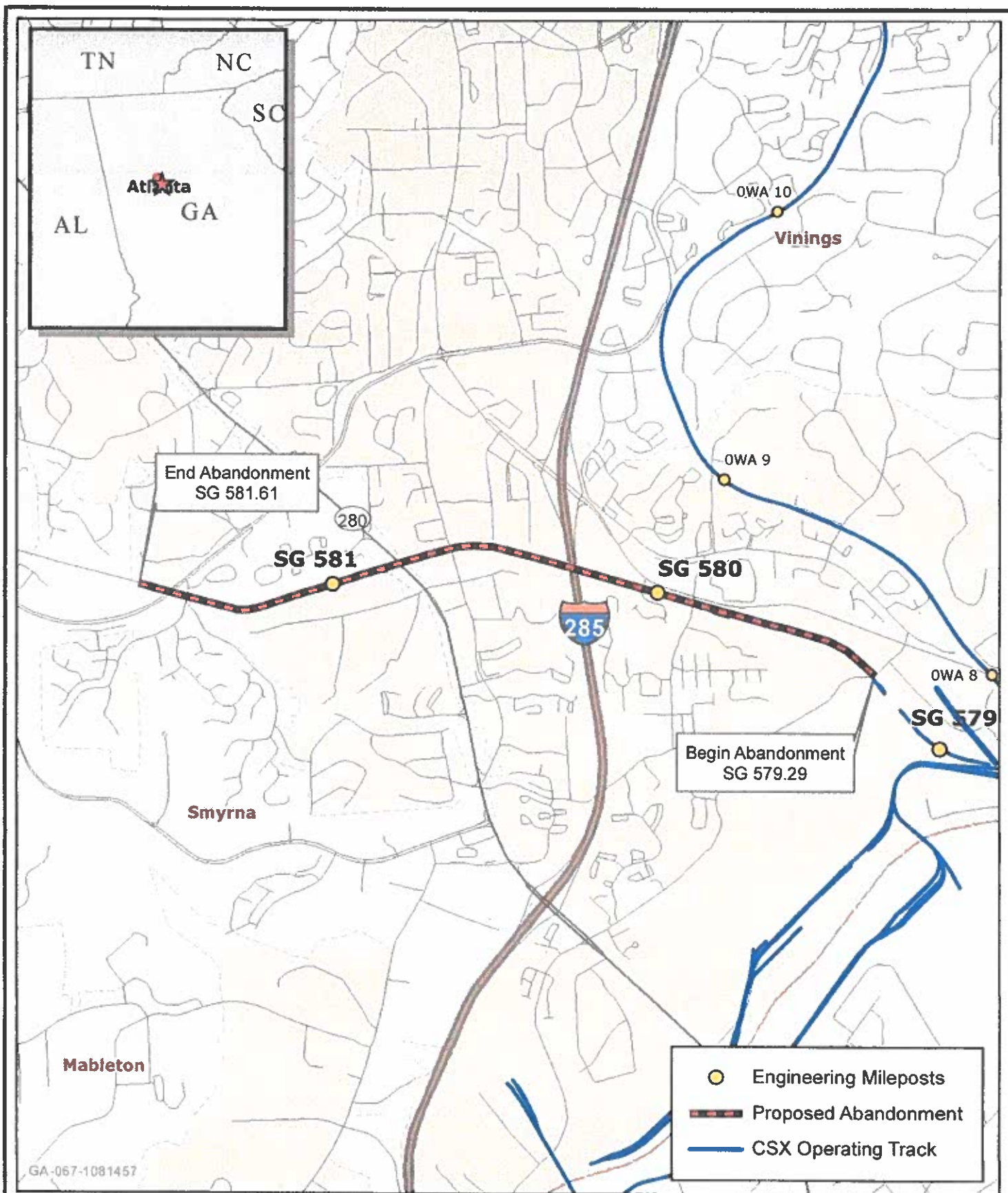


**CSX Transportation, Inc.
Proposed Abandonment
Silver Comet Trail Extension**

Milepost SG 579.29 - SG 581.61 (2.32 Miles)
Cobb County - Atlanta, GA
Atlanta Division - Atlanta Terminal Subdivision
STB Docket No. AB 55 (Sub-No. 784X)

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Feet





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