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EI-18972

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Practitioner For The Homeowner's
814 Belle Shoals Road
Pickens, SC 29671 233181

Environmental Assessment for Docket# AB1097X
Surface Transportation Board
Washington, D.C. 20423
Attention: Cynthia Brown, Barbara Saddler, Joshua Wayland

ENTERED
Office of Proceedings
October 12, 2012
Part of
Public Record

**Subject: Environmental Assessment of Pickens Railway Company--
Abandonment Exemption- Proposed Denial**

Background: There are no objections to your report dated October 2, 2012.

Environmental Review: PICK submitted an Environmental Report that concludes the quality of human environment would not be affected significantly. We, the 115 property owners along and near the track, disagree strongly with that statement and will subsequently point out and show why we take exception. Our reasons are:

1. PICK did not properly inform the home and property owners. A notice was run in the Greenville, S.C. News on August 19, 2012. This is not a local newspaper and no homeowner that we could find saw the notice. Most don't even subscribe to the paper or read it. Property owners should have been informed by certified mail. There was little transparency up to now and the YMCA, a nonprofit, tax-exempt organization, manipulated their survey that showed 80+% approval. Their sampling procedure was biased from the beginning, contacting only those folks that had computers. Our random sampling methods revealed just the opposite (95% of citizens against a trail and 97% of the homeowners against).

2. The abandonment would result in the closure of 16 public and 11 private roads. Since many of the owners along this track are senior citizens, the streets would be closed or altered to some of their homes and police, fire trucks, and ambulances would be impeded from reaching their homes in a timely fashion. If the streets were left open, it would be a danger to the walkers and bikers,

3. Many sections of the track have a high elevation (as much as 15 feet) on each side of the track. Leveling to match the right-of-way surface of 16 to 50 feet can not take place without the owner's permission because the right-of-way agreement is for surface use only. Reversionary rights should mean the property goes back to the property owners as the section of track formerly owned by the

same railway in the upper part of the county did in fact be returned to the owners already.

4. **Herbicides have been used extensively** to control green growth along the track and could be considered toxic to humans depending on the type.

5. **Lubricants like oil, gasoline, and grease have spilled at the depot and other spots.** Waste metals and barrels have been dumped along the track and could contain contaminants. There have been rumors of other chemical spills along the tracks at other places. This is the reason a thorough study should have been made. Creosote has probably leaked off the cross ties onto the ground underneath the tracks.

6. **Noise levels by trail users** for a senior neighborhood would destroy the tranquility and welfare of the owners.

7. **A water line** has been installed right next to the track without the knowledge of the owners. We feel it could risk contamination. See photo

8. **The application to be exempt from abandonment application supplied by PICK is misleading** about population. Around Pickens and Easley the railway corridor is highly populated especially in Pickens instead of being "sparsely populated and rural" as stated in the exemption report.

Recommendations:

1. Whether or not the railway is awarded abandonment or not, there should not be permission to use this property as a trail of any kind.

2. Soil samples need to be taken at close intervals along the track and near the depot. There are several places along the track where debris of barrels, engines, and metal are located and would be dangerous to humans.

3. The home owners don't want this property changed into a trail where people travel all hours of the day and night and the plans for it should be abandoned.

Signed,

Junius Smith

Practitioner for the Homeowners

I certify that the information in this report is truthful.

Five Inclusions: All photographs taken by Jim McDonald Practitioner for Property Owners

- 1: Scrap metal and debris along track
- 2: Barrels along track
- 3: Suspected water line next to track
- 4: Railroad crossing a driveway
5. Height of Right-of-way and public crossing

Copies:

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