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Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 312 (Sub-No. 5X)

SOUTH CAROLINA CENTRAL RAILROAD COMPANY, LLC
- ABANDONMENT EXEMPTION –
IN DARLINGTON COUNTY, SC

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

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*Counsel for South Carolina Central
Railroad Company, LLC*

Dated: July 13, 2022

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 312 (Sub-No. 5X)

SOUTH CAROLINA CENTRAL RAILROAD COMPANY, LLC
- ABANDONMENT EXEMPTION –
IN DARLINGTON COUNTY, SC

ENVIRONMENTAL/HISTORIC REPORT

South Carolina Central Railroad Company, LLC (“SCRF” or “Applicant”) will be seeking exemption authority for Applicant to abandon approximately 2-miles of rail line over 6 railroad tracks that most recently served the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, SC (the “Subject Line”). The Subject Line consists of Track 1 at milepost Sonoco Lead MP 312.7 – 313.24 and its associated leads, Track 1a, and 1b. It further includes, Track 3 at Hartsville MP 312.85 – 313.56. Finally, the Subject Line includes Track 2 and 2a that do not have mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 29550. A map of the Subject Line is attached as Exhibit A.

Applicant plans to petition the Board for an exemption under 49 USC §10502 from the provisions of 49 USC §10903 to enable SCRF to abandon the Subject Line, on or after August 3, 2022. This Report is being filed in connection therewith, and in accordance with the requirements of 49 CFR §§1105.7 and 1105.8. To prepare this Report, Applicant consulted with various state and federal agencies as required by the Board’s regulations. *See* the letters attached as Exhibit B. Based on the written responses received by Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

SCRF is a Class III railroad that operates in South Carolina. SCRF acquired the Subject Line in 1987.¹ Genesee & Wyoming Inc. gained control of SCRF in 2012.² The Subject Line is located in Hartsville, Darlington County, South Carolina. It is comprised of a set of 6 stub-ended tracks totaling approximately 2-miles terminating at and along the Sonoco facility that was once a paper mill. Sonoco is re-tooling the facility for a different commodity and will no longer require rail service. There is no overhead traffic on the Subject Line and Sonoco supports the abandonment. Following the abandonment, SCRF plans to sell the Subject Line to Sonoco.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

The abandonment will have no effect on the transportation system because there is no overhead traffic over the Subject Line and the last date of local service to or from the Subject Line was prior to December 2021. As such, no traffic will be diverted. Applicant sent a consultation letter regarding the proposed abandonment to the South Carolina Department of Transportation, Intermodal and Freight Program (“SDOT”). See the letter attached as part of Exhibit B. To date SCRF has not received a response.

3. LAND USE

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following

¹ *South Carolina Central Railroad Company, Inc. – Acquisition and Operation Exemption – Florence, SC Rail Lines*, ICC Finance Docket 31146 (decided Nov. 4, 1987).

² *Genesee & Wyoming Inc. – Control Exemption – RailAmerica, Inc. et al.* STB Finance Docket 35654 (served Dec. 20, 2012).

agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 4 (“EPA Region 4”), U.S. Army Corps of Engineers Conway Regulatory Office (“ACE”), National Park Service – National (“NPS National”), National Park Service –Region 2 (“NPS Region 2”), U.S. Fish & Wildlife Service – Southeast Region 4 (“FWS Local”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), SDOT, the South Carolina Department of Health & Environmental Control (“DHEC”), South Carolina Department of Natural Resources (“DNR”), the South Carolina Department of Administration (“State Clearinghouse”); Hartsville Mayor, Case Hancock (“Hartsville”), Darlington County Councilman Albert Davis, III (“Darlington”).

Copies of these letters are attached as part of Exhibit B. To date, Applicant has only received written responses from the following consulted agencies, copies of which are included as part of Exhibit C:

- FWS Local responded indicating that it has “no concerns over the project.”
- NGS responded that there could be survey marks located in the area and provided additional information and identified the NOAA staffer to whom the consultation letter will be provided.
- DNR responded stating, “SCDNR offers no objection to the proposed project provided that all rail and ties are removed from the site and that the area is restored to pre-construction contours. Furthermore, the SCDNR recommends that disturbed areas be permanently stabilized with vegetative cover consisting of native species appropriate for the ecoregion.”
- NRCS Local responded that it is not “aware of any environment impact/report required of or by NRCS.”
- ACE responded that Applicant’s consultation request had been received and forwarded to a Team Lead, but Applicant has not received any further comment.

(ii) Applicant does not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially concerned agencies listed in paragraph 3(i) above, and as indicated, NRCS Local has no comment.

(iii) The definition of a coastal zone under South Carolina Code Section 48-39-10(b) does not include Darlington County, the location of the Subject Line.

(iv) Applicant does not believe that the right of way may be suitable for public purposes. Following the abandonment, Applicant intends to sell its interest to Sonoco for Sonoco's use.

4. **ENERGY**

The Subject Line serves no overhead traffic, and the most recent (sole) shipper served by the Subject Line has stopped receiving rail service, and has indicated that it no longer has a need for rail service. As such,

- (i) the proposed abandonment will have no effect on the transportation of energy sources;
 - (ii) the proposed abandonment will have no effect on recyclable commodities;
 - (iii) the proposed abandonment will be no effect on overall energy efficiency;
- and
- (iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. **NOISE**

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. **SAFETY**

Applicant does not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. **BIOLOGICAL RESOURCES**

(i) Applicant has consulted with the FWS Local, as well as to the following agencies that are potentially concerned with biological resources: DNR, DHEC, NPS National, NPS Region 2, ACE, NRCS National, and NRCS Local. Copies of these consultation letters are attached as part of Exhibit B. As stated above in section 3(i), Applicant received responses from DNR, FWS Local, and NRCS Local. None suggest any adverse effects on biological resources. Although, DNR did not suggest any adverse effects, it did state that “SCDNR offers no objection to the proposed project provided that all rail and ties are removed from the site and that the area is restored to pre-construction contours. Furthermore, the SCDNR recommends that disturbed areas be permanently stabilized with vegetative cover consisting of native species appropriate for the ecoregion.” SCRF responded that after it conducts salvage, it will transfer the right-of-way to Sonoco and that to SCRF’s knowledge, Sonoco intends to develop the property consistent with its construction plans to develop the right-of-way for non-common carrier rail use.

(ii) Applicant does not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i) and Applicant has not received any responses.

9. WATER

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the agencies identified in paragraph 8(i) and other than the response noted in 9(ii), no agency has responded.

(ii) Applicant sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. As stated above in section 3(i), ACE emailed that Applicant's consultation request had been received and forwarded to a Team Lead, but Applicant has not received any further comment.

(iii) Applicant does not believe that any Clean Water Act permits will be required. Consultation letters were sent to DNR, DHEC, and EPA. Copies of these letters are attached as part of Exhibit B. As stated above in section 3(i), Applicant received a response from DNR.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicant has consulted with the following agencies: NRCS Local, NRCS National, EPA Region 4, ACE, NPS National, NPS Region 2, FWS Local, NGS, SDOT, DHEC, DNR, the State Clearinghouse, Hartsville, and Darlington.

13. CERTIFICATIONS

Applicant certifies that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.
- (c) Notice of the proposed abandonment was published in the *Hartsville Messenger* on June 22, 2022. A copy of the form of notice and the proof of publication are attached as Exhibit D.
- (d) Applicant will not file its petition for abandonment until at least twenty (20) days after the consulted agencies have been served with a copy of this report.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

Applicant seeks a petition for exemption to abandon approximately 2-miles of rail line comprised of 6 railroad tracks last serving the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, SC. The Subject Line consists of Track 1 at milepost Sonoco Lead MP 312.7 – 313.24 and its associated leads, Track 1a, and 1b. It further includes, Track 3 at Hartsville MP 312.85 – 313.56. Finally, the Subject Line includes Track 2 and 2a that do not have mileposts.

The Subject Line is located in an industrial area. The right of way is generally 50 feet wide. The right of way is crossed by approximately three public roadways.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

No structures 50 years old or older (historic) exist on the Subject Line.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

SCRF has no documents that pertain to any structures on the Subject Line which are over 50 years old.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

The South Carolina Western Railway acquired the land for construction of the line in 1910. SCRF acquired the Subject Line in 1987 from CSX Transportation.³ Genesee & Wyoming Inc. gained control of SCRF, a Class III railroad, in 2012.⁴ The Subject Line is located in Hartsville, Darlington County, South Carolina. It comprises of a set of 6 stub-ended tracks totaling approximately 2-miles terminating at and along the Sonoco facility that was once a paper mill.

Sonoco is re-tooling the facility for a different commodity and has advised SCRF that it will no longer require rail service. The Subject Line last provided service prior to December 2021. There is no overhead traffic on the Subject Line and Sonoco supports the abandonment. Following the abandonment, SCRF plans to sell the Subject Line to Sonoco.

6. SUMMARY OF STRUCTURE DOCUMENTATION

SCRF has no documentation pertaining to any structures over 50 years old.

7. OPINION REGARDING CRITERIA FOR LISTING

Based on readily available information in SCRF's possession, SCRF does not believe that the Subject Line or right of way represent an historical resource or that any protective conditions are warranted. However, Applicant has given notice of the proposed abandonment to the South Carolina Department of Archives and History ('SHPO'). The SHPO responded that it "knows of no documented historic properties that are eligible for listing or listed in the National Register of

³ *South Carolina Central Railroad Company, Inc. – Acquisition and Operation Exemption – Florence, SC Rail Lines*, ICC Finance Docket 31146 (decided Nov. 4, 1987).

⁴ *Genesee & Wyoming Inc. – Control Exemption – RailAmerica, Inc. et al.* STB Finance Docket 35654 (served Dec. 20, 2012).

Historic Places” within the Subject Line’s “direct Area of Potential Effect.” Correspondence with the SHPO is included as part of Exhibit F.

8. **ENVIRONMENTAL CONDITIONS**

Applicant is unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Any salvage conducted by Applicant will take place within the right of way, will be surface work only and will not disturb subsurface resources.

Respectfully submitted,



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Washington, DC 20004
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jmarks@clarkhill.com

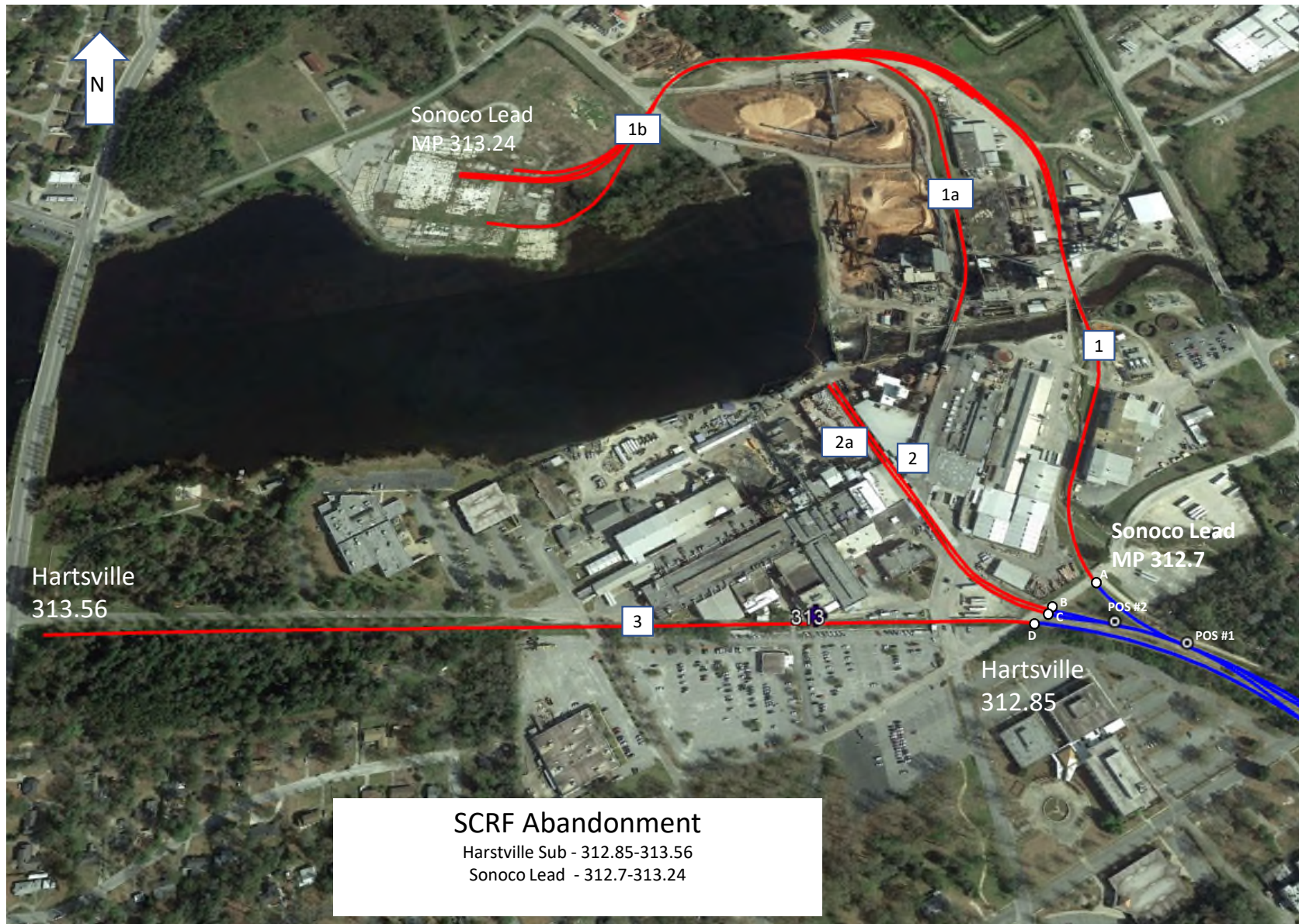
*Counsel for South Carolina Central
Railroad Company, LLC.*

Dated: July 13, 2022

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT A

MAP



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT B

SCRF CORRESPONDENCE WITH ENVIRONMENTAL AGENCIES



Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

May 25, 2022

VIA EMAIL AND/OR FIRST-CLASS MAIL

ALL AGENCIES ON THE
ATTACHED SERVICE LIST

Re: South Carolina Central Railroad Company, LLC – Abandonment Exemption –
in Darlington County, SC
Surface Transportation Board Docket No. AB 312 (Sub-No. 5X)

To Whom it May Concern:

This letter is to advise you that South Carolina Central Railroad Company, LLC ("SCRF") intends to file a petition for exemption for SCRF to abandon approximately 2-miles of rail line over 6 rail lines serving the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, SC (the "Subject Line").

The Subject Line consists of Track 1 at milepost Sonoco Lead MP 312.7 – 313.24 and its associated leads, Track 1a, and 1b. It further includes, Track 3 at Hartsville MP 312.85 – 313.56. Finally, the Subject Line also includes Track 2 and 2a that do not have mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 29550. A map of the Subject Line is enclosed with this letter.

SCRF plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable SCRF to abandon the Subject Line, on or after July 20, 2022 in STB Docket No. AB 312 (Sub-No. 5X).

SCRF utilized the Subject Line to provide common carrier rail service to Sonoco. Sonoco ceased all rail service on the Subject Line on or prior to December 31, 2021 and no longer wishes to receive rail service via the Subject Line. SCRF intends to salvage the rail and ties. SCRF believes that the abandonment will not have a significant effect upon historical resources.

Based upon information in SCRF's possession, the Subject Line does not contain federally granted rights of way.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

May 25, 2022
Page 2

We would appreciate an expression from you by June 27, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

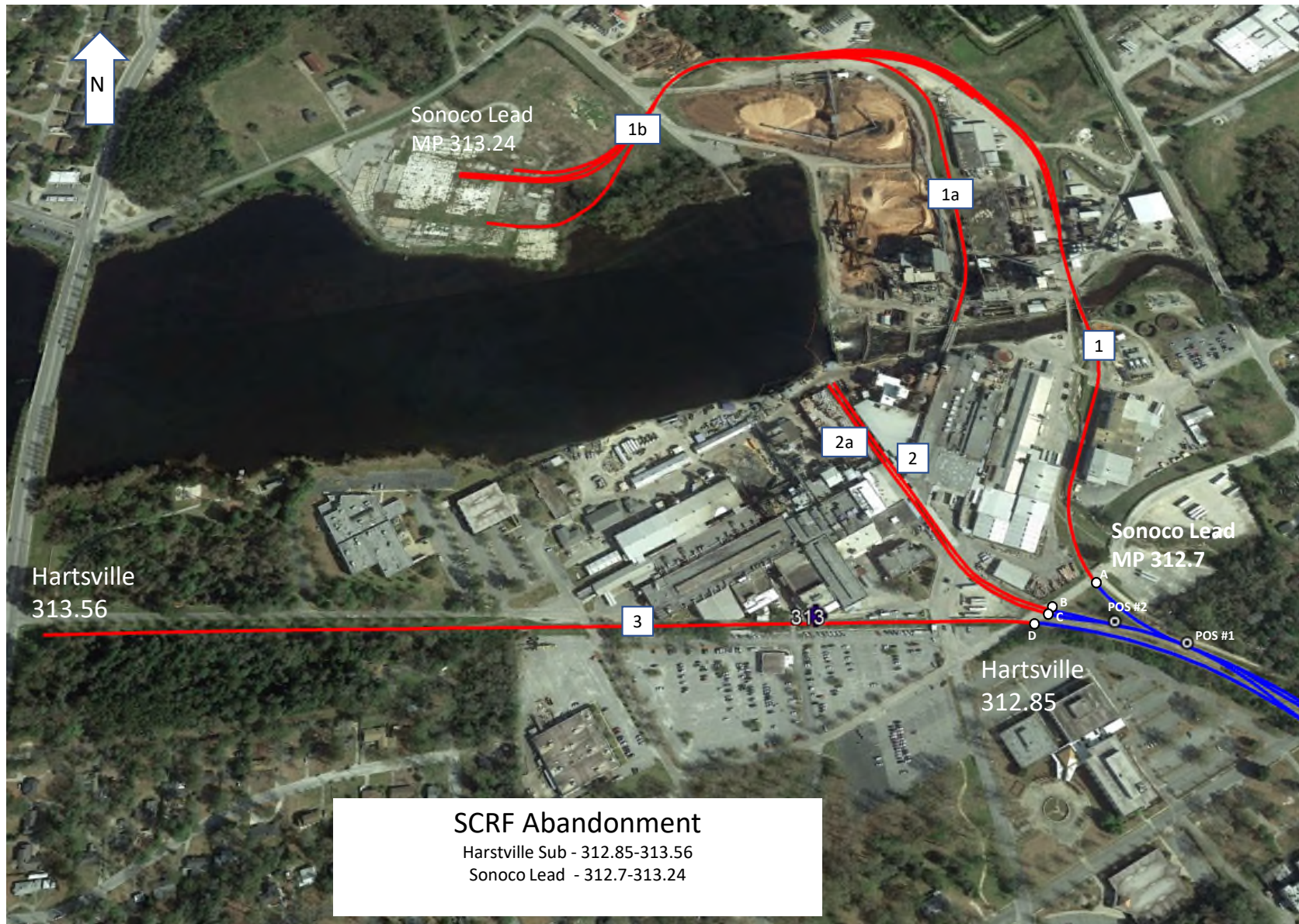
Thank you for your cooperation.

Sincerely,



Justin J. Marks
Counsel to South Carolina Central Railroad
Company, LLC

Enclosure



Environmental Agency List

Ann English, State Conservationist USDA Natural Resources Conservation Service Strom Thurmond Federal Building 1835 Assembly St., Rm. 950 Columbia, SC 29201 Ann.english@usda.gov	Daniel Blackman, Regional Administrator Office of the Regional Administrator US EPA Region 4 Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-8960 blackman.daniel@epa.gov
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Conway Regulatory Office 1949 Industrial Park Road Room 140 Conway, SC 29526 sac.rd.conway@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	Cassius Cash, Acting Regional Director Region 2 South Atlantic-Gulf National Park Service 100 Alabama Street, SW 1924 Building Atlanta, GA 30303
Mr. Leopoldo Miranda United States Fish & Wildlife Service Southeast Region 4 1875 Century Boulevard Suite 400 Atlanta, GA 30345	National Geodetic Survey ngs.infocenter@noaa.gov
South Carolina Department of Administration state.clearinghouse@admin.sc.gov	South Carolina Department of Health & Environmental Control Office of the Director agencydirector@dhec.sc.gov
South Carolina Department of Natural Resources P.O. Box 11710, Columbia, SC 29211-1710	South Carolina Department of Transportation Doug Frate, Deputy Secretary Intermodal & Freight Programs fratedw@scdot.org
The Hon. Casey Hancock	Mr. Albert Davis, III

Mayor mayor@hartsvillesc.gov Hartsville City Hall 100 E Carolina Ave PO Drawer 2497 Hartsville SC 29551	District 6, County Council Post Office Box 964 Hartsville, SC 29551 843-858-1480 Email: aldavis@darcoosc.net
Daniel Moore City Manager daniel.moore@hartsvillesc.gov Hartsville City Hall 100 E Carolina Ave Hartsville SC 29550 P.O. Drawer 2497 Hartsville SC 29551	Darlington County Administrator Marion Charles Stewart, III 1 Public Square, Room 210 Darlington, SC 29532 Email: cstewart@darcoosc.net

Marks, Justin J.

From: Marks, Justin J.
Sent: Wednesday, July 13, 2022 1:05 PM
To: Tom Daniel
Subject: RE: South Carolina Central Railroad Company, LLC - Abandonment Exemption - in Darlington County. SC

Mr. Daniel:

Thank you for your email. The South Carolina Central Railroad Company, LLC (SCRF) did not originally construct the line to be abandoned. The property underlying the line subject to the abandonment was first acquired by a predecessor railroad owner in 1910. SCRF acquired the line in 1987 from CSX Transportation and its tracks have most recently served the Sonoco Products Company. Following the abandonment, after SCRF conducts salvage, it will transfer the right-of-way to Sonoco. To SCRF's knowledge, Sonoco intends to develop the property consistent with its construction plans to develop the right-of-way for non-common carrier rail use.

Nevertheless, I have incorporated your comments in an Environmental and Historical Report to be provided to you and submitted to the Surface Transportation Board.

Thank you,

Justin

Justin J. Marks

Attorney at Law

Clark Hill

1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004
+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)
jmarks@clarkhill.com | www.clarkhill.com

From: Tom Daniel <DanielT@dnr.sc.gov>
Sent: Thursday, June 23, 2022 12:13 PM
To: Marks, Justin J. <jmarks@ClarkHill.com>
Subject: South Carolina Central Railroad Company, LLC - Abandonment Exemption - in Darlington County. SC

[External Message]

Dear Mr. Marks,

The SCDNR offers no objection to the proposed project provided that all rail and ties are removed from the site and that the area is restored to pre-construction contours. Furthermore, the SCDNR recommends that disturbed areas be permanently stabilized with vegetative cover consisting of native species appropriate for the ecoregion.

Thank you for the opportunity to review this project and provide comments. Should you have any questions or need more information, please do not hesitate to contact me by email at DanielT@dnr.sc.gov or by phone at 803.734.3766.

Sincerely,

Tom Daniel

Inland Project Manager, Office of Environmental Programs
South Carolina Department of Natural Resources
1000 Assembly Street, PO Box 167

Columbia, SC 29202
Office: 803-734-3766
Mobile: 803-240-4826
danielt@dnr.sc.gov
www.dnr.sc.gov/environmental



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DISCLAIMER: This email is submitted to speak to the general impacts of the activities as described through inquiry by parties outside the South Carolina Department of Natural Resources. These technical comments are submitted as guidance to be considered and are not submitted as final agency comments that might be related to any unspecified local, state or federal permit, certification or license applications that may be needed by any applicant or their contractors, consultants or agents presently under review or not yet made available for public review. In accordance with its policy 600.01, Comments on Projects Under Department Review, the South Carolina Department of Natural Resources, reserves the right to comment on any permit, certification or license application that may be published by any regulatory agency which may incorporate, directly or by reference, these technical comments.

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT C

AGENCY RESPONSES

Marks, Justin J.

From: SAC.RD.Conway <SAC.RD.Conway@usace.army.mil>
Sent: Wednesday, May 25, 2022 6:22 PM
To: Marks, Justin J.
Cc: Huff, Robert C CIV USARMY CESAC (USA); Bracey, Wiley C CIV USARMY CESAC (USA)
Subject: RE: SCRF Railroad Abandonment in Hartsville, Darlington County, SC

[External Message]

Mr Marks,

This is to notify you that your Consultation Request has been electronically received in the Conway Field Office. It has been forwarded to the Team Lead assignment and you should be receiving an updated notification from the Project Manager to whom it has been assigned.

Additional information about the Charleston District Regulatory Program and Public Notice postings can be found on our web site at <http://www.sac.usace.army.mil/Missions/Regulatory/Permitting-Process/>.

If you have any questions, please contact us via e-mail at SAC.RD.Conway@usace.army.mil or at 843.365.4239.

Dorothy M. Swearingin
Regulatory Program Assistant
Northeast Branch -- Charleston District
843-365-4239

Complete our Regulatory Service Survey at
<https://regulatory.ops.usace.army.mil/customer-service-survey/>

Due to the situation involving COVID-19, our office is currently teleworking and will generally be available via e-mail. Please be advised that response time may be delayed due to remote network connectivity and an increased volume of virtual meetings. Thanks in advance for your patience.

From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Wednesday, May 25, 2022 11:39 AM
To: blackman.daniel@epa.gov; Ann.english@usda.gov; SAC.RD.Conway <SAC.RD.Conway@usace.army.mil>; ngs.infocenter@noaa.gov; state.clearinghouse@admin.sc.gov; agencydirector@dhec.sc.gov; fratedw@scdot.org; mayor@hartsvillesc.gov; aldavis@darcoosc.net; daniel.moore@hartsvillesc.gov; cstewart@darcoosc.net
Subject: [URL Verdict: Neutral][Non-DoD Source] SCRF Railroad Abandonment in Hartsville, Darlington County, SC

Good morning:

Attached is a letter seeking your agencies' comment – if any – for a railroad abandonment in Hartsville, Darlington County, SC.

You may also receive this letter via regular mail.

Thank you,

Justin

Justin J. Marks

Attorney at Law

Clark Hill

1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004

+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)

jmarks@clarkhill.com | www.clarkhill.com

Marks, Justin J.

From: Olds, Melanie J <melanie_olds@fws.gov> on behalf of Charleston Regulatory, FW4 <charleston_regulatory@fws.gov>
Sent: Thursday, June 23, 2022 12:43 PM
To: Marks, Justin J.
Subject: South Carolina Central Railroad Company Abandonment Exemption - in Darlington County, SC
Attachments: Scanned_20220525_ltr_Clarkhill_FWS_SC Railroad.pdf

[External Message]

Mr. Marks,

The South Carolina field office just received your letter (scan attached) regarding the South Carolina Central Railroad Company Abandonment Exemption - in Darlington County, SC, we have no concerns over the project. However, we request that in the future all correspondence regarding this project or any other projects within South Carolina be sent this email address (charleston_regulatory@fws.gov). There is no need to send correspondence via hard letter anymore, nor to our regional office, as this slows down our review process.

Thank you,

Melanie

Marks, Justin J.

From: Tom Daniel <DanielT@dnr.sc.gov>
Sent: Thursday, June 23, 2022 12:13 PM
To: Marks, Justin J.
Subject: South Carolina Central Railroad Company, LLC - Abandonment Exemption - in Darlington County. SC
Attachments: SC Railroad Co Abandonment_letter.pdf

[External Message]

Dear Mr. Marks,

The SCDNR offers no objection to the proposed project provided that all rail and ties are removed from the site and that the area is restored to pre-construction contours. Furthermore, the SCDNR recommends that disturbed areas be permanently stabilized with vegetative cover consisting of native species appropriate for the ecoregion.

Thank you for the opportunity to review this project and provide comments. Should you have any questions or need more information, please do not hesitate to contact me by email at DanielT@dnr.sc.gov or by phone at 803.734.3766.

Sincerely,

Tom Daniel

Inland Project Manager, Office of Environmental Programs
South Carolina Department of Natural Resources
1000 Assembly Street, PO Box 167
Columbia, SC 29202
Office: 803-734-3766
Mobile: 803-240-4826
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DISCLAIMER: This email is submitted to speak to the general impacts of the activities as described through inquiry by parties outside the South Carolina Department of Natural Resources. These technical comments are submitted as guidance to be considered and are not submitted as final agency comments that might be related to any unspecified local, state or federal permit, certification or license applications that may be needed by any applicant or their contractors, consultants or agents presently under review or not yet made available for public review. In accordance with its policy 600.01, Comments on Projects Under Department Review, the South Carolina Department of Natural Resources, reserves the right to comment on any permit, certification or license application that may be published by any regulatory agency which may incorporate, directly or by reference, these technical comments.

Marks, Justin J.

From: deborah.brooks <ngs.infocenter@noaa.gov>
Sent: Thursday, May 26, 2022 10:27 AM
To: Marks, Justin J.
Subject: [JIRA] (IMOV-9310) SCRF Railroad Abandonment in Hartsville, Darlington County, SC

[External Message]

A comment is added on your issue:

Re: SCRF Railroad Abandonment in Hartsville, Darlington County, SC

Good Morning Atty. Marks,

Thank you for informing the National Geodetic Survey (NGS) of South Carolina Central Railroad Company, LLC (SCRF)'s decision to abandon approximately **2-miles of rail line over 6 rail lines** serving the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, SC (the "Subject Line"). The Subject Line consists of **Track 1 at milepost Sonoco Lead MP 312.7 – 313.24 and its associated leads, Track 1a, and 1b**. It further includes, **Track 3 at Hartsville MP 312.85 – 313.56. * Finally, the *Subject Line also includes Track 2 and 2a that do not have mileposts**. The Subject Line traverses through United States Postal Service ZIP Code 29550. A map of the Subject Line is included.

There could be geodetic survey marks located in the area described, and any marks still present could be disturbed by the abandonment. While it is illegal to disturb or destroy a mark, sometimes disturbing or destroying a mark is unavoidable. In such cases, the mark can often be preserved or reset with advanced planning. NGS provides the public with tools to search for and locate survey marks, see the NGS Data Explorer (<https://geodesy.noaa.gov/NGSDataExplorer/>).

If a mark will be disturbed by the abandonment, SCRF should consult with NGS at least 90 days prior to beginning salvage activities that will disturb, or destroy any geodetic marks identified nearby. Information is available online to help reset marks or report disturbed/destroyed marks:

<https://geodesy.noaa.gov/surveys/mark-recovery/index.shtml>

<<https://www.google.com/url?q=https://geodesy.noaa.gov/surveys/mark-recovery/index.shtml&sa=D&ust=1560385764139000&usg=AFQjCNGDkoXCHtBcDJBsXm2KQLkhwYDxQ>>.

This notice is also being shared with Scott Lokken (Scott.lokken@noaa.gov, 240-678-2167) the Regional Geodetic Advisor, so he may work with any interested local agencies or stakeholders.

If you have additional questions, email NGS.Infocenter@noaa.gov.

Sincerely,
Deborah M. Brooks
Communications Specialist
NGS Infocenter
301-832-1063

More information on preserving marks, mark resets, and destroyed marks.

Preserving Marks

Significant resources were invested to create an extensive geodetic network across the United States by establishing precise coordinates at physical survey marks. Disturbing or destroying these marks reduces geodetic control available to local surveyors, so please make every effort to preserve this valuable network.

Mark Resets

If a mark is about to be destroyed (e.g., due to planned construction), it may be possible to reset the mark and retain the geodetic control. Review the Bench Mark Reset Procedures (

https://geodesy.noaa.gov/PUBS_LIB/Benchmark_4_1_2011.pdf) or contact your closest geodetic advisor (<https://geodesy.noaa.gov/ADVISORS/index.shtml>).

Please do not attempt to reset a mark that has been separated from the base. Any remnants of destroyed marks must be properly discarded and not reused in any manner, as this is a violation of Federal law.

Destroyed Marks

If it is determined that a mark has been destroyed, please provide enough photo evidence to show how this determination was made. To submit this information to NGS, follow the instructions regarding “destroyed marks” on the Mark Recovery Entry web page (https://geodesy.noaa.gov/cgi-bin/recvy_entry_www.prl)

Marks, Justin J.

From: Ryan, Kristine - NRCS, Columbia, SC <kristine.ryan@usda.gov>
Sent: Tuesday, July 5, 2022 9:52 AM
To: Marks, Justin J.
Subject: South Darlington Central Railroad Company, LLC - Abandonment Exemption

[External Message]

Good morning,

I received your letter last week, while on vacation. Concerning the railroad abandonment, I am not aware of any environment impact/report required of or by NRCS.

Thank you,

Kristine Ryan, CPSC, MPH

South Carolina State Soil Scientist
USDA - NRCS
1835 Assembly St. Rm 950
Columbia, SC 29201
Office: 803-253-3896
Cell: 803-767-7496

<https://casoilresource.lawr.ucdavis.edu/soilweb-apps>

[Web Soil Survey](#)

[Soil Climate Analysis Network](#)

[Soils](#) is part of the National Cooperative Soil Survey, an effort of Federal and State agencies, universities, and professional societies to deliver science-based soil information.

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ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT D

NEWSPAPER NOTICE

Carolina Publishing

Advertising Affidavit

310 South Dargan Street
Florence, SC 29506
(843) 317-6397

Account Number
2280005

Date
June 22, 2022

CLARK HILL
1001 PENNSYLVANIA AVENUE, NW
SUITE 1300 SOUTH
WASHINGTON, DC 20004

Date	Category	Description	Ad Size	Total Cost
06/22/2022	_Legal Notices	Notice of Intent to Abandon Rail Service	1 x 65 L	94.70

Notice of Intent to Abandon Rail Service

South Carolina Central Railroad Company, LLC gives notice that on or about July 20, 2022 it intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of approximately 2-miles of rail line over 6 railroad tracks serving the Sonoco Products Company in Hartsville, Darlington County, SC traversing through United States Postal Service ZIP Code 29550. The Line consists of: Track 1 at milepost Sonoco Lead MP 312.7 - 313.24 and its associated leads, Track 1a, and 1b; Track 3 at Hartsville MP 312.85 - 313.56; and Track 2 and 2a with no associated mileposts. The proceeding has been docketed as No. AB 312 (Sub-No. 5X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, Washington, DC or by calling OEA at (202) 245-0291.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. Any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004; jmarks@clarkhill.com.

Publisher of the
Hartsville Msngr

This is to certify that the attached Notice of Intent to Aband was published in the Hartsville Msngr in the City of Hartsville, state of South Carolina on the following dates:

06/22/2022

The First insertion being given ... 06/22/2022

Newspaper reference: 0001261292

Sworn to and subscribed before me this

11th Day of June, 2022

Donna A. Wiggins
Notary Public

Supervisor

State of South Carolina
My Commission expires

DONNA A. WIGGINS
Notary Public, State of South Carolina
My Commission Expires 3/17/2032

A BILL. PLEASE PAY FROM INVOICE. THANK YOU

ENVIRONMENTAL/HISTORIC REPORT

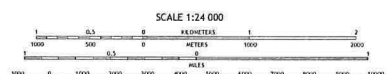
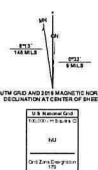
EXHIBIT E

TOPOGRAPHICAL MAP



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1:250,000 geopotential datum vertical datum, Zone 17S.
This map is not a legal document. Boundaries may be
generalized for this map only. Private lands with government
reservations may not be shown. Obtain permission before
entering private lands.

Map: September 2017 - December 2017
Data: 2017
Base: 2017
Projection: North American Datum of 1983
Contour: 10-foot
Elevation: 10-foot
Wetlands: 10-foot
Roads: 10-foot



This map was produced to conform with the
National Geospatial Program US Topo Product Standard 2017.
A metadata file associated with this product is available at: www.usgs.gov



1	2	3
4	5	6
7	8	9

ADJOINING QUADRANGLES



HARTSVILLE NORTH, SC
2020



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT F

SHPO CORRESPONDENCE



Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

May 25, 2022

VIA EMAIL AND/OR FIRST-CLASS MAIL

John D. Sylvest, Project Review Coordinator
South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223

jsylvest@scdah.sc.gov

Re: South Carolina Central Railroad Company, LLC – Abandonment Exemption –
in Darlington County, SC
Surface Transportation Board Docket No. AB 312 (Sub-No. 5X)

Dear Mr. Sylvest:

This letter is to advise you that South Carolina Central Railroad Company, LLC ("SCRF") intends to file a petition for exemption for SCRF to abandon approximately 2-miles of rail line over 6 rail lines serving the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, SC (the "Subject Line").

The Subject Line consists of Track 1 at milepost Sonoco Lead MP 312.7 – 313.24 and its associated leads, Track 1a, and 1b. It further includes, Track 3 at Hartsville MP 312.85 – 313.56. Finally, the Subject Line also includes Track 2 and 2a that do not have mileposts.

The Subject Line traverses through United States Postal Service ZIP Code 29550. A map of the Subject Line is enclosed with this letter.

SCRF plans to petition the Surface Transportation Board ("STB") for an exemption under 49 USC §10502 from the provisions of 49 USC §10903 to enable SCRF to abandon the Subject Line, on or after July 20, 2022 in STB Docket No. AB 312 (Sub-No. 5X).

SCRF utilized the Subject Line to provide common carrier rail service to Sonoco. Sonoco ceased all rail service on the Subject Line on or prior to December 31, 2021 and no longer wishes to receive rail service via the Subject Line. SCRF intends to salvage the rail and ties. SCRF believes that the abandonment will not have a significant effect upon historical resources.

Based upon information in SCRF's possession, the Subject Line does not contain federally granted rights of way.

May 25, 2022
Page 2

In advance of preparing an environmental/historical report as required by applicable STB regulations, we are consulting with you as to any concerns which you may have as to the impacts on historical resources of the proposed abandonment.

We would appreciate an expression from you by June 27, 2022 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon any historical resources (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

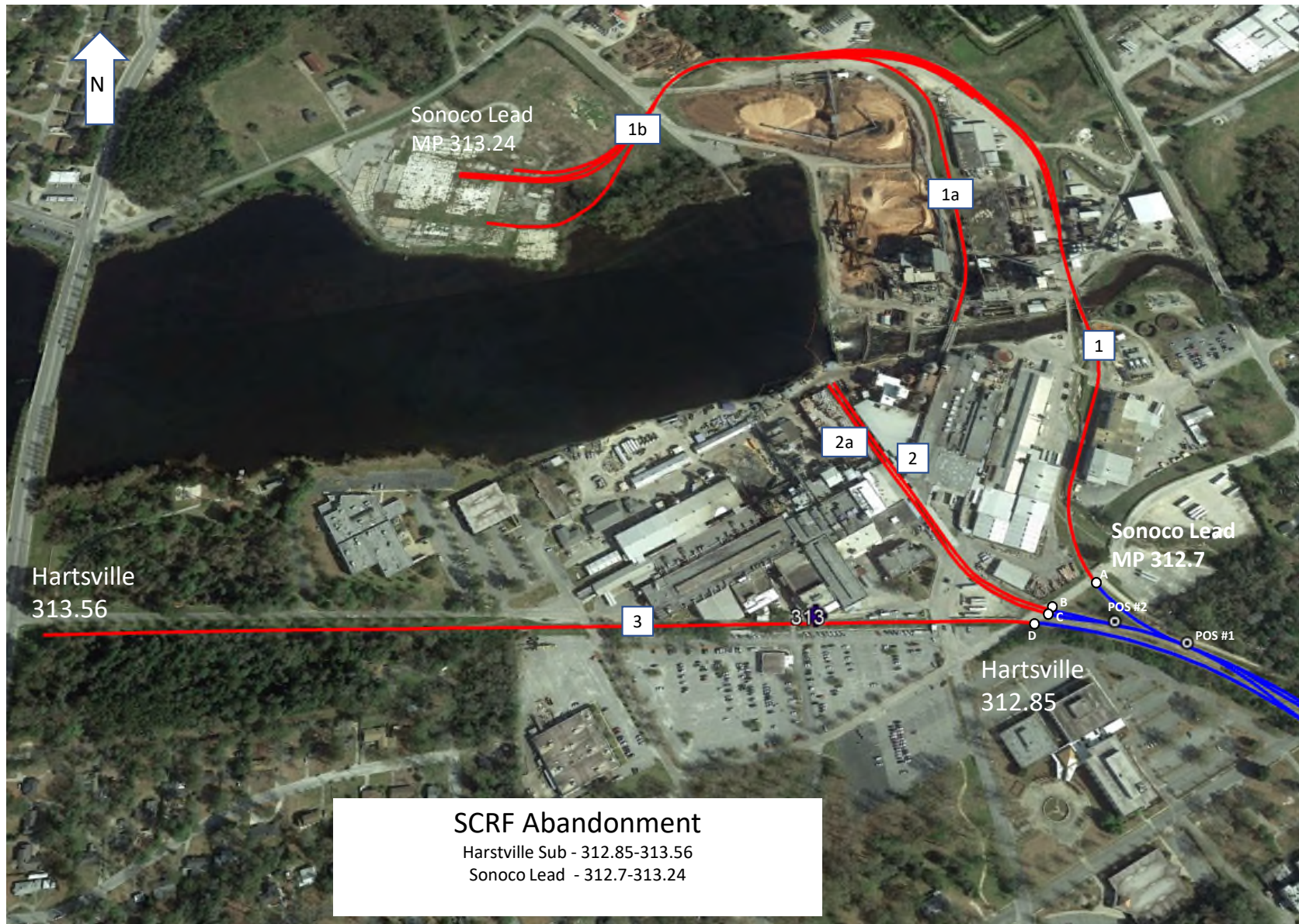
Thank you for your cooperation.

Sincerely,



Justin J. Marks
Counsel to South Carolina Central Railroad
Company, LLC

Enclosure





June 9, 2022

Justin J. Marks
Attorney at Law
Clark Hill
jmarks@clarkhill.com

Re: Section 106 Initiation for South Carolina Central Railroad Company, LLC –
Abandonment Exemption for Approximately 2-Miles of Rail Line Over 6 Rail
Lines Serving the Sonoco Products Company
Hartsville, Darlington County, South Carolina
SHPO Project No. 22-JS0236

Dear Mr. Marks:

Thank you for your letter of May 25, 2022, which we received electronically on May 25, regarding the above referenced proposed undertaking. We also received a map as supporting documentation for this undertaking. The State Historic Preservation Office (SHPO) is providing comments to the Surface Transportation Board (STB) pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes including those with state recognition, local governments, or the public.

Our office knows of no documented historic properties that are eligible for listing or listed in the National Register of Historic Places in the proposed undertaking's direct Area of Potential Effect (APE), which appears to be the cited rail lines to be abandoned, or the surrounding view shed's indirect APE. The APE has not been previously surveyed for cultural resources/historic properties. Based on the map provided, the East Home Avenue Historic District, a property listed in the National Register of Historic Places, appears to lie to the south of the lines to be abandoned.

More information about historic properties research, including our online GIS and National Register records, are available on our website via <https://scdah.sc.gov/historic-preservation/historic-properties-research>. More information about Section 106 review is available via <https://scdah.sc.gov/historic-preservation/programs/review-compliance>.

We look forward to receipt of the Historical Report and additional consultation regarding this proposed STB petition. Please refer to SHPO Project Number 22-JS0236 in any future correspondence regarding this project. If you have any questions, please contact me at (803) 896-6129 or jsylvest@scdah.sc.gov.

Sincerely,

John D. Sylvest
Project Review Coordinator
State Historic Preservation Office

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July, 2022, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by email or first class mail, postage prepaid:

Kristine Ryan USDA Natural Resources Conservation Service Strom Thurmond Federal Building 1835 Assembly St., Rm. 950 Columbia, SC 29201 kristine.ryan@usda.gov	Daniel Blackman, Regional Administrator Office of the Regional Administrator US EPA Region 4 Atlanta Federal Center 61 Forsyth Street SW Atlanta, GA 30303-8960 blackman.daniel@epa.gov
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Northeast Branch – Charleston District Sac.rd.conway@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	Cassius Cash, Acting Regional Director Region 2 South Atlantic-Gulf National Park Service 100 Alabama Street, SW 1924 Building Atlanta, GA 30303
United States Fish & Wildlife Service Southeast Region 4 South Carolina Ecological Services Field Office Charleston_regulatory@fws.gov	National Geodetic Survey ngs.infocenter@noaa.gov
South Carolina Department of Administration state.clearinghouse@admin.sc.gov	South Carolina Department of Health & Environmental Control Office of the Director agencydirector@dhec.sc.gov

Mr. Tom Daniel Inland Project Manager, Office of Environmental Programs South Carolina Department of Natural Resources 1000 Assembly Street, PO Box 167 Columbia, SC 29202 danielt@dnr.sc.gov	South Carolina Department of Transportation Doug Frate, Deputy Secretary Intermodal & Freight Programs fratedw@scdot.org
The Hon. Casey Hancock Hartsville City Hall 100 E Carolina Ave PO Drawer 2497 Hartsville SC 29551 mayor@hartsvillesc.gov	Mr. Albert Davis, III District 6, County Council Post Office Box 964 Hartsville, SC 29551 843-858-1480 aldavis@darcoosc.net
Daniel Moore City Manager P.O. Drawer 2497 Hartsville SC 29551 daniel.moore@hartsvillesc.gov	Darlington County Administrator Marion Charles Stewart, III 1 Public Square, Room 210 Darlington, SC 29532 cstewart@darcoosc.net
John D. Sylvest, Project Review Coordinator South Carolina Department of Archives and History 8301 Parklane Road Columbia, SC 29223 jsylvest@scdah.sc.gov	



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