

SERVICE DATE – APRIL 6, 2018

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

Docket No. AB 43 (Sub-No. 188X)

**Illinois Central Railroad Company – Abandonment Exemption –
in Hinds County, Mississippi**

BACKGROUND

In this proceeding, The Illinois Central Railroad Company (IC) 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 Hinds County, Mississippi. The rail line proposed for abandonment extends miles from milepost 185.15 near McNutt Street to 186.95 near High Street in Jackson (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, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

ENVIRONMENTAL REVIEW

IC 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. IC 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.

Diversion of Traffic

According to IC, no local traffic has moved over the line for at least two years and all overhead traffic was rerouted years ago. 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

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.dot.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 43 (Sub-No. 188X).

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.

IC states that the line does not cross and is not immediately adjacent to any waterway. IC plans to conduct salvage activities by using the existing right-of-way for access, along with existing public and private road crossings, and no new access roads are contemplated. According to IC, salvage activities would not cause sedimentation or erosion of the soil, and IC does not anticipate any dredging or use of fill when removing the track material. IC states that no debris would be discarded along the right-of-way and any work along the right-of-way would be subject to appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials.

Land Use

According to IC, the Line passes through a low-density area just east of the main business district of Jackson, Mississippi, with surrounding land uses consisting of commercial and light industrial purposes. According to IC, the proposed abandonment is consistent with existing state and regional land use plans. The proposed abandonment's right-of-way traverses land that was previously converted to non-farming use. Therefore, OEA believes that no prime farmland will be adversely affected as a result of this abandonment. If the Board were to approve the proposed abandonment, at-grade crossings would be removed, increasing safety at road crossings by removing impediments to local surface traffic, including first responders.

The Hinds County Board of Supervisors commented that it had no objections to the proposed abandonment.

The National Geodetic Survey (NGS) commented that there may be five geodetic survey marks located in the project area. Accordingly, OEA is recommending a condition be imposed on any decision granting abandonment authority requiring IC to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.

Coastal Zone Compliance

The Mississippi Department of Marine Resources commented that Mississippi Coastal Zone Consistency is only required within the three coastal counties of Jackson, Harrison, and

Hancock; therefore, the proposed abandonment does not require a federal consistency determination.

Water Resources

In a letter dated April 21, 2014, the Department of the Army (DA), Vicksburg District, Corps of Engineers, Operations Division determined that a DA permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act would not be required for the proposed abandonment. IC does not contemplate any excavation or other ground-disturbance activity, or the need for related storm water mitigation measures, including a National Pollutant Discharge Elimination System permit under Section 402 of the Clean Water Act. OEA is providing the Corps a copy of this EA for its review and comment.

Hazardous Materials

IC states that it is not aware of any releases of hazardous substances on or near the Line. OEA's review has not found any federally listed remediation sites near the Line. Accordingly, no mitigation regarding hazardous waste sites or hazardous material spills is recommended.

Biological Resources

The United States Fish and Wildlife Service (USFWS) Mississippi Field Office determined in its letter on April 9, 2014, that the proposed abandonment would have no effect on federally listed species. OEA confirmed by phone call with USFWS that this determination was still valid in March of 2018.

Air Quality

Because salvage operations would be limited in scope and any air emissions associated with salvage operations would be temporary, OEA believes that salvage operations would not have a significant impact on air quality.

Noise

OEA believes that any noise impacts from salvage activities would be temporary and should not have a significant local impact.

Summary

Based on all information available to date, OEA does not believe that salvage activities 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 the Corps and NGS.

HISTORIC REVIEW

IC served the Historic Report on the Mississippi State Historic Preservation Officer (SHPO), pursuant to 49 C.F.R. § 1105.8(c).² The SHPO has submitted comments stating that the proposed abandonment would not affect any known archaeological sites or historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register). OEA has reviewed the report and the information provided by the SHPO and concurs with the SHPO's comments.

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.4(d)(1), and following consultation with the SHPO and the public, OEA has determined that no known historic properties listed in or eligible for inclusion in the National Register would be affected within the right-of-way (the Area of Potential Effect, or APE) of the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the railroad's Historic Report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's website at www.stb.dot.gov.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the United States Department of Housing and Urban Development (HUD) Tribal Directory Assessment Tool (TDAT) to identify federally-recognized tribes that may have ancestral connections to the project area.³ The database indicated that the following federally-recognized tribes may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment: Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Mississippi Band of Choctaw Indians, and Quapaw Tribe of Indians. Accordingly, OEA is sending a copy of this EA to those tribes for review and comment.

CONDITIONS

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

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.

³ TDAT, <https://egis.hud.gov/TDAT> (last visited April 4, 2018).

- **The Illinois Central Railroad Company shall consult with the National Geodetic Survey (NGS) and notify NGS at least 90 days prior to beginning salvage activities that will disturb or destroy any geodetic station markers.**

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 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 an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to

the attention of Adam Assenza, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 43 (Sub-No. 188X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Adam Assenza, the environmental contact for this case, by phone at (202) 245-0301, fax at (202) 245-0454, or e-mail at adam.assenza@stb.gov.

Date made available to the public: April 6, 2018.

Comment due date: April 23, 2018.

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

Attachment



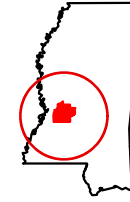
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Hinds County, Mississippi
Near Jackson

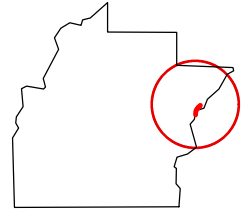
Legend

— 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

