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OEA

SERVICE DATE – DECEMBER 29, 2025

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

DRAFT ENVIRONMENTAL ASSESSMENT

Docket No. AB 290 (Sub-No. 419X)

**Norfolk Southern Railway Company – Abandonment Exemption –
In Summit County, Ohio**

BACKGROUND

In this proceeding, Norfolk Southern Railway Company (NSR) filed a notice of exemption with the Surface Transportation Board (Board) under 49 C.F.R. § 1152.50 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Summit County, Ohio. The rail line proposed for abandonment extends approximately 1.16 miles from milepost AI 0.29 +/- north of Veterans Way bridge to milepost AI 1.45 +/- at Barlow Road (the Line). A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft 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.

DESCRIPTION OF THE LINE

The Line is located in Summit County, Ohio, in a suburban area, surrounded primarily by mature forest as well as a large golf course, which is located along the western side of the Line. According to NSR, the right-of-way ranges from 65 feet to 100 feet along the track centerline. The Line consists of a single track with wooden ties and stone ballast. There are no bridges or structures along the Line. The Line was constructed by the Cleveland & Pittsburgh Railway in 1852. After a series of ownership changes during the late 19th and 20th centuries, the Line became part of the Penn Central Transportation Company in 1968, which then became part of the Consolidated Rail Corporation in 1976. In 1999, Norfolk Southern Corporation, parent to NSR, assumed control of the Line.

ENVIRONMENTAL REVIEW

NSR submitted a combined environmental and historic report (E&H Report) that concludes the quality of the human environment would not be affected significantly as a result of the proposed abandonment of the Line, including salvage. NSR served the E&H Report on a number of appropriate federal, state, and local agencies as required by the Board's environmental

rules [49 C.F.R. § 1105.7(b)]¹ implementing the National Environmental Policy Act. The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to NSR, no local traffic has moved over the Line over the last two years, and overhead traffic on the Line has been rerouted. Therefore the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. Nor would the proposed abandonment adversely impact the development, use and transportation of energy resources or recyclable commodities or the transportation of ozone-depleting materials.

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. According to NSR, salvage would consist of removing the rail and track material from the existing roadbed but the contour of the roadbed and existing drainage systems would be left intact. After removal, the contractor would smooth the roadbed to a level surface. No ballast would be removed, and no new soil disturbance would occur.

NSR requested comments from the U.S. Fish and Wildlife Service (USFWS) regarding the potential impact of the proposed abandonment to protected wildlife, including federally listed threatened and endangered species. To date, USFWS has not provided comments. To identify protected species in the project area, OEA conducted a search of the USFWS' Information for Planning and Construction (IPaC) system.² Species identified in the area include: the Indiana Bat (*Myotis sodalis*, Endangered), the Tricolored Bat (*Perimyotis subflavus*, Proposed Endangered), and the Monarch Butterfly (*Danaus plexippus*, Proposed Threatened). No critical habitat or wildlife refuges were identified within the area of the proposed abandonment.

Because salvage activities would not include any subsurface ground disturbance, or any removal of trees, grassland, shrublands, or forested habitat, and no critical habitat is present,

¹ The E&H Report is available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "290" "419" "X" sequentially in the four boxes for "Docket Number," then selecting "Search." The E&H Report was filed on September 10, 2025 and revised on December 3, 2025.

² U.S. Fish and Wildlife Service, Information for Planning and Consultation Tool (IPaC), <https://ipac.ecosphere.fws.gov> (OEA accessed on December 27, 2025).

OEA concludes that the proposed abandonment would have no effect on listed species. OEA is providing a copy of this draft EA to the USFWS, Ohio Ecological Services Field Office, for its review.

NSR notified the National Park Service (NPS) of the proposed abandonment and requested assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests. To date, NPS has not provided comments. Because the Line does not cross any wildlife sanctuaries or refuges, National or State parks or forests, OEA believes that no such area would be affected by the proposed abandonment.

OEA has determined that the Line is not located within a coastal zone. Accordingly, no further consultation is necessary.

NSR requested assistance from the U.S. Army Corps of Engineers (USACE), Buffalo District in identifying whether permits under Section 404 of the Clean Water Act (CWA) would be required for the proposed abandonment. By email dated April 22, 2025, NSR received a response from USACE stating that since the proposed abandonment and salvage would not include any discharge of fill material into any waterbody, no 404 CWA permits would be required. OEA is providing USACE Buffalo District a copy of this Draft EA for its review.

NSR requested assistance from the U.S. Environmental Protection Agency (USEPA), Region 5 in identifying whether permits under Section 402 of the CWA would be required for the proposed abandonment. To date, USEPA has not provided any comments. Accordingly, OEA is providing USEPA Region 5 a copy of this Draft EA for review.

OEA believes that any air emissions associated with abandonment activities would be temporary and would not have a significant impact on air quality. Similarly, any noise related to abandonment 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 the proposed abandonment 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 Draft EA to the following agencies for review and comment: USFWS, Ohio Ecological Field Office; USACE, Buffalo District; and USEPA, Region 5.

HISTORIC REVIEW

NSR served the E&H Report on the Ohio History Connection (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).³ OEA has not heard from the SHPO and therefore has not been able to consider the SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register of Historic Places. Accordingly, OEA is recommending 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 of Historic Places until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <https://www.stb.gov/resources/environmental/historic-preservation-overview>.

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 (TDAT) to identify federally recognized Tribes that may have ancestral connections to the project area.⁴ 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: Delaware Nation, Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Miami Tribe of Oklahoma; Ottawa Tribe of Oklahoma; Seneca Nation of Indians; Seneca-Cayuga Nation; and the Wyandotte Nation. Accordingly, OEA is sending a copy of this Draft EA to these Tribes for review and comment.

CONDITIONS

OEA recommends that the following condition be imposed on any decision granting abandonment authority:⁵

³ 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 at a link on the bottom of the Board's website overseeing historic preservation at <https://www.stb.gov/resources/environmental/historic-preservation-overview>.

⁴ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed December 28, 2025).

⁵ If an interim trail use agreement under 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 is reached for the Line (or a portion thereof), compliance with this condition is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.

Norfolk Southern Railway Company (NSR) 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. NSR shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the State Historic Preservation Office, Tribes, and the public. NSR 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.

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 Board's Federal Register notice of the proposed abandonment. The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁶

TRAIL 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

⁶ Board decisions are available for viewing on the Board's website at www.stb.gov by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "290" "419" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

as trails (49 C.F.R. § 1152.29). The Federal Register notice is also issued as a Board decision and is available on the Board's website.⁷

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

OEA encourages interested parties to submit their comments on the Draft EA electronically through the Board's website at <https://www.stb.gov/>. From the Board's home page, scroll down to the blue "How to File" box. Select the "E-Filing (recommended)" button. From the E-Filing page, select "Environmental Comments" under "Select your E-Filing Type." Log-in accounts are not needed to file environmental comments electronically. Brief comments can be typed in the comment field, and lengthier comments can be attached as Word, Adobe Acrobat, or other file formats.

Alternatively, comments submitted by mail should be addressed to: Alan Tabachnick, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, Attention: Environmental Filing, Docket No. AB 290 (Sub-No. 419X). If you have any questions, please contact Alan Tabachnick by email at alan.tabachnick@stb.gov or by phone at 202-245-0367.

Date made available to the public: December 29, 2025.

Comment due date: January 9, 2026.

By the Board, Danielle Gosselin, Director, Office of Environmental Analysis.

Attachment

⁷ Id.