

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

FINAL ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB-312 (Sub-No. 3X)

February 1, 2012

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:
(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

The Office of Environmental Analysis (OEA) served an EA for this proceeding on January 13, 2012 for public review and comment. In the EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

During the EA comment period, OEA received comments from the U.S. Fish and Wildlife Service (USFWS) and Natural Resources Conservation Service (NRCS) (see attached).

The USFWS states in a January 17, 2012 letter (USFWS Log No. 2012-1-0101) that there are no federally protected resources in the project area, and concludes that no further consultation under section 7 of the Endangered Species Act (16 U.S.C. § 1536) is required unless new information is revealed or substantive changes in the proposed abandonment are made. Accordingly, OEA concludes that its recommended condition in the EA pertaining to USFWS consultations is no longer necessary.

The NRCS states in a letter received January 19, 2012 that the project area is already in urban development or in use as an existing rail line right-of-way, and therefore, the proposed abandonment would have no significant impact on prime or statewide important farmland. Accordingly, OEA reaffirms its conclusion in the EA that the proposed abandonment would not affect resources protected under the Federal Farmland Protection Policy Act (7 U.S.C. § 4201).

Modifications to the EA

Considering the additional correspondence received after the EA was issued, OEA believes that the recommended condition in the EA should be deleted.

Conclusions

The EA comment period has ended and no conditions are recommended by OEA. OEA believes that the proposed action would not significantly affect the quality of the human environment.

Attachments: USFWS comments
NRCS comments

OEA CONTACT: Dave Navecky
202-245-0294
david.navecky@stb.dot.gov

Distribution: Andrea Pope-Matheson, Office of Proceedings
OEA Chron
ECT

E1-18779

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January 19, 2012

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB-312 (Sub-No. 3X), *South Carolina Railroad Company, LLC— Abandonment Exemption—in Chesterfield and Darlington Counties, SC.*

Dear Ms. Brown:

Enclosed for e-filing by the South Carolina Railroad Company, LLC is a letter received from the U.S. Fish and Wildlife Service, stating that there are no federally protected resources in the project area.

If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin
Attorney for South Carolina Railroad Company, LLC

Enclosure



United States Department of the Interior

FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200
Charleston, South Carolina 29407



January 17, 2012

Ms. Melanie B. Yasbin
Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

Re: Docket No. AB-312 (Sub-No. 3X)
South Carolina Railroad Company, LLC- Abandonment Exemption
Chesterfield and Darlington Counties, South Carolina
FWS Log No. 2012-I-0101

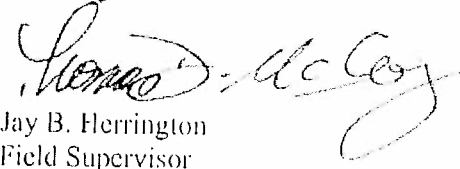
Dear Ms. Yasbin:

The U.S. Fish and Wildlife Service (Service) has reviewed the plans for the proposed project. South Carolina Railroad Company proposes to abandon a 12.8-mile railroad line near milepost 319.89 (center of Burlington Drive road crossing), near Society Hill, Darlington County, South Carolina, and extending in a northerly direction to milepost 332.68 (south line of Market Street, including other legs of wye track extending westerly to milepost 332.48 (east line of US Route 1), in Cheraw, Chesterfield County, South Carolina.

Based on our review and the information received, the Service has determined there are no federally protected resources in the project area. Please note that obligations under the Endangered Species Act must be reconsidered if: (1) new information reveals impacts of this identified action may affect any listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner, which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

Please contact the South Carolina Department of Natural Resources regarding potential impacts to state protected species. If the proposed project will impact wetlands, please contact the U.S. Army Corps of Engineers, Charleston District. If you have any questions, please contact Ms. Morgan Wolf at (843) 727-4707, ext. 219 and reference FWS Log No. 2012-I-0101.

Sincerely,


for Jay B. Herrington
Field Supervisor

JBH/MKW

cc: Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue,
Suite 301, Towson, MD 21204

EI-18778

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January 17, 2012

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB-312 (Sub-No. 3X), *South Carolina Railroad Company, LLC—Abandonment Exemption—in Chesterfield and Darlington Counties, SC.*

Dear Ms. Brown:

Enclosed for e-filing by the South Carolina Railroad Company, LLC is a letter received from the United States Department of Agriculture, Resources Conservation Service stating that project will have no significant impact on prime or statewide important farmlands.

If you have any questions please call or email me.

Sincerely yours



Melanie B. Yasbin
Attorney for South Carolina Railroad Company, LLC

Enclosure



Natural Resources Conservation Service
1835 Assembly Street, Room 950
Columbia, South Carolina 29201
(803) 253-3970
Fax: (803) 253-3670

January 10, 2011

Melanie B. Yasbin
Law Offices of Lois E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204-4022

Dear Ms. Yasbin,

The project listed below is in an area already in urban development or are in an existing right-of-way. As such, the project will have no significant impact on prime or statewide important farmlands.

- South Carolina Railroad Company, LLC – Abandonment Exemption, Chesterfield and Darlington Counties, SC.

For future reference, NRCS policy and procedures on prime and unique farmlands are published in the Code of Federal Regulations 7CFR657. The website is:
http://www.access.gpo.gov/nara/cfr/waisidx_00/7cfr657_00.html. Detailed information can be found in Section 657.5 on this website.

If you have any questions, please call Pamela Thomas, State Soil Scientist, at (803) 253-3896.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann English".

ANN ENGLISH
State Conservationist