

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**DRAFT ENVIRONMENTAL ASSESSMENT**

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

**South Carolina Central Railroad Company, LLC – Abandonment Exemption –  
in Darlington County, S.C.**

**BACKGROUND**

In this proceeding, South Carolina Central Railroad Company, LLC (SCRF) filed a petition under 49 U.S.C. § 10502 seeking exemption from the prior approval requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Darlington County, South Carolina. The rail line proposed for abandonment extends approximately two miles over six railroad tracks associated that most recently served the Sonoco Products Company (Sonoco) in Hartsville, Darlington County, S.C. ( the Line). The Line consists of (a) Track 1 at milepost Sonoco Lead MP 312.7 to MP 313.24 and its associated leads, Track 1a and 1b; (b) Track 2 and 2a that do not have mileposts and (c) Track 3 at Hartsville MP 312.85 to MP 313.56. A map depicting the Line in relationship to the area served is appended to this Draft Environmental Assessment (Draft EA). If the Board grants the exemption, 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 consists of a set of 6 stub-ended tracks totaling approximately 2-miles terminating at and along the Sonoco facility. According to SCRF, the Line is located in an industrial area and the right-of-way is generally 50 feet wide. SCRF states that the right-of-way crosses “approximately” three public roadways. Although the environmental and historic report do not mention it, the map submitted by SCRF depicts a set of tracks crossing a waterway via a rail bridge. Rail operations supported the facility’s previous function as a paper mill, however, according to SCRF, Sonoco is re-tooling the facility for a different commodity and informed SCRF that the facility will no longer require rail service. SCRF states that Sonoco is supportive of the proposed abandonment and seeks to acquire the right-of-way for its continued site development.

**ENVIRONMENTAL REVIEW**

SCRF 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. SCRF served the E&H 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)]<sup>1</sup> 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 SCRF, the sole shipper served by the Line, Sonoco, stopped receiving rail service prior to December 2021 and indicated that it no longer has a need for rail service; all six railroad tracks that make up the Line are stub-ended at Sonoco, and no overhead traffic exists. 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. SCRF intends to salvage track and ties then transfer the right-of-way to Sonoco for its continued use and development.

SCRF 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. USFWS's South Carolina Field Office commented that it had no concerns over the proposed abandonment.

According to SCRF, the Line is not located in a coastal zone as defined by South Carolina Code Section 48-39-10(b). Therefore, no further consultation is required.

The National Geodetic Survey (NGS) has indicated that there may be geodetic survey markers in the right-of-way that could be disturbed by the proposed abandonment. Accordingly, OEA recommends a condition requiring SCRF to notify NGS at least 90 days prior to beginning

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<sup>1</sup> The E&H Report is available for viewing on the Board's website at [www.stb.gov](http://www.stb.gov) clicking "Search STB Records;" selecting "Filings" in the "Search for" dropdown menu; entering "AB" "312" "5" "X" sequentially in the four boxes for "Docket Number," then selecting "Search." The E&H Report was filed on July 13, 2022.

abandonment-related salvage activities to allow time for any geodetic survey markers that may be present in the right-of-way to be preserved.

The U.S. Army Corps of Engineers (Corps) commented that information about the proposed abandonment was forwarded to a team lead, but did not comment further. Because the Line crosses a waterway, and OEA is unable to determine whether a Corps permit under Section 404 of the Clean Water Act (33 U.S.C. 1344) is required, OEA recommends that the Board impose a condition requiring SCRF to consult with the Corps prior to commencement of salvage activities and comply with the reasonable requirements of the Corps to protect waters of the United States. OEA is sending the Corps a copy of this EA for its review and consideration.

The South Carolina Department of Natural Resources (SCDNR) responded that it “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.” SCDNR also recommended that “disturbed areas be permanently stabilized with vegetative cover consisting of native species appropriate for the ecoregion.” In response to SCDNR’s comment, OEA recommends that the Board impose a condition requiring SCRF to consult with SCDNR prior to commencement of salvage activities and comply with SCDNR’s reasonable requirements. OEA is sending SCDNR a copy of this EA for its review and consideration.

The U.S. Department of Agriculture’s Natural Resource Conservation Service (NRCS) responded that it is not aware of any environment impact report required of or by NRCS. Therefore, OEA does not recommend any environmental conditions.

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: NGS and the Corps.

## **HISTORIC REVIEW**

SCRF served the E&H Report on the South Carolina Department of Archives and History (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).<sup>2</sup> SHPO

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<sup>2</sup> Applicants seeking authority from the Board to abandon railroad lines may act on

reported no knowledge of documented historic properties that are eligible for listing or listed in the National Register of Historic Places (NRHP) in the proposed undertaking's direct Area of Potential Effect (APE). SHPO noted that the APE has not been previously surveyed for cultural resources/historic properties, and that based on the map provided by SCRF, the East Home Avenue Historic District (a property listed in the NRHP) appears to lie to the south of the Line. SHPO requested additional consultation regarding the proposed abandonment (SHPO Project Number 22-JS0236). 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.<sup>3</sup> The database indicated that the Catawba Indian Nation may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the APE) of the proposed abandonment. Accordingly, OEA is sending a copy of this Draft EA to these Tribes for review and comment.

## **CONDITIONS**

OEA recommends that the following conditions be imposed on any decision granting abandonment authority:<sup>4</sup>

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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 overviewing historic preservation at <https://www.stb.gov/resources/environmental/historic-preservation-overview>.

<sup>3</sup> U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat> (last accessed October 3, 2022).

<sup>4</sup> 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 these conditions is not required with respect to any portion of the Line covered by the interim trail use agreement for the duration of the agreement.

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1. South Carolina Central Railroad Company, LLC shall notify the National Geodetic Survey at [NGS.infocenter@noaa.gov](mailto:NGS.infocenter@noaa.gov) at least 90 days prior to beginning abandonment-related salvage activities.
2. Prior to commencement of any abandonment-related salvage activities, South Carolina Central Railroad Company, LLC shall consult with the U.S. Army Corps of Engineers (Corps) and comply with its reasonable requirements.
3. Prior to commencement of any abandonment-related salvage activities, South Carolina Central Railroad Company, LLC shall consult with the South Carolina Department of Natural Resources and comply with its reasonable requirements.
4. South Carolina Centrail Railroad Company, LLC (SCRF) 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. SCRF shall report back to the Office of Environmental Analysis regarding any consultations with the South Carolina State Historic Preservation Office and the public. SCRF 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 conditions are 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.<sup>5</sup>

### **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 notice of the petition for 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). The Federal Register notice is also issued as a Board decision and is available on the Board's website.<sup>6</sup>

### **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, select "File an Environmental Comment" below the "Need Assistance?" button. Log-in accounts are not needed to file environmental comments electronically, and 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: Adam Assenza, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, Attention:

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<sup>5</sup> Board decisions are available for viewing on the Board's website at [www.stb.gov](http://www.stb.gov) by clicking "Search STB Records;" selecting "Decisions" in the "Search for" dropdown menu; entering "AB" "312" "5" "X" sequentially in the four boxes for "Docket Number," then selecting "Search."

<sup>6</sup> Id.

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Environmental Filing, Docket No. AB 312 (Sub-No. 5X). If you have any questions, please contact Adam Assenza by email at [Adam.Assenza@STB.gov](mailto:Adam.Assenza@STB.gov) by phone at 202-245-0301.

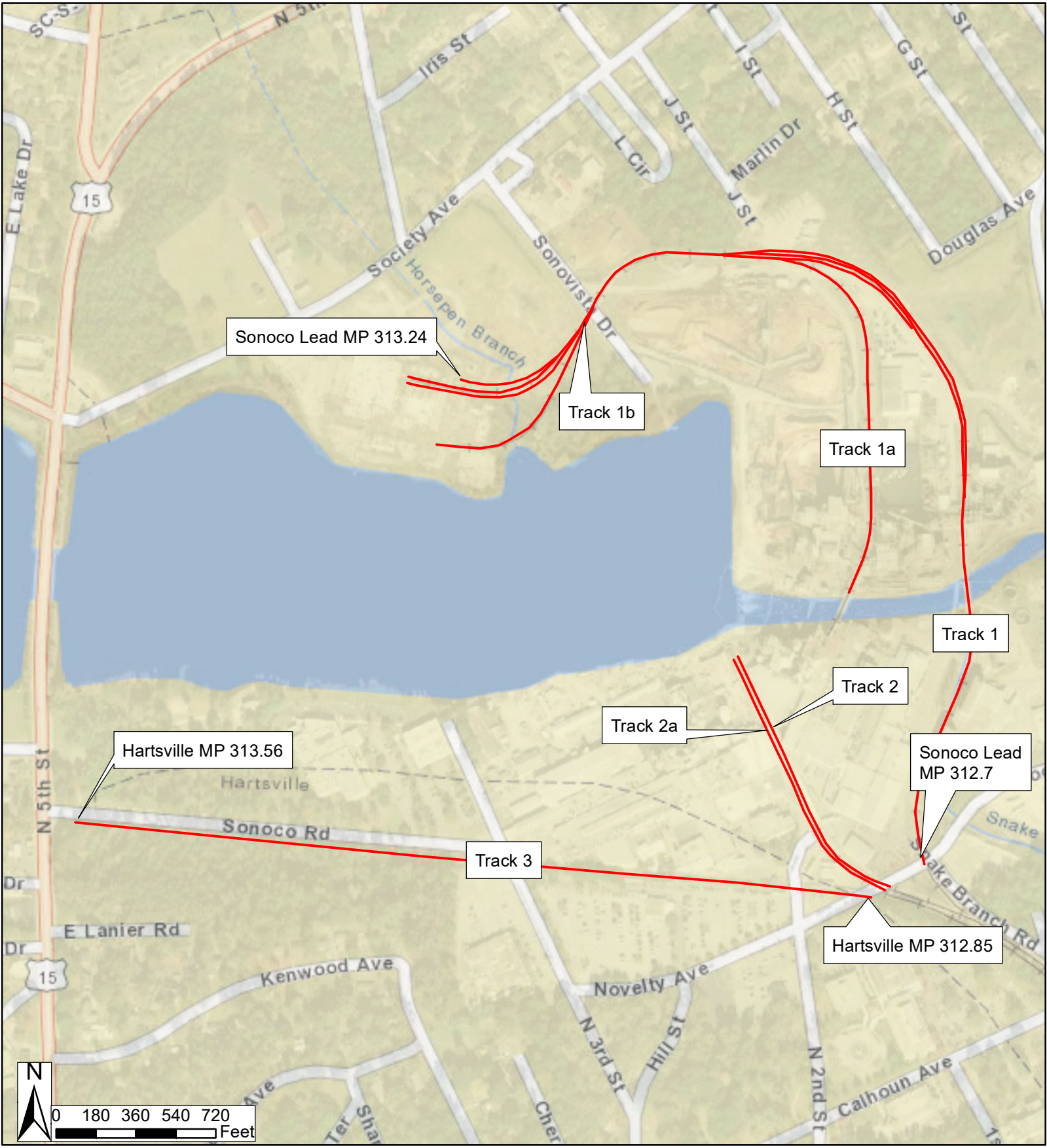
Date made available to the public: October 6, 2022.

**Comment due date: November 7, 2022.**

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


Attachment





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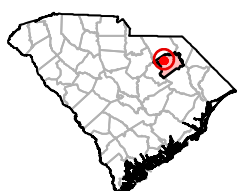
**Legend**

 the Line

Note: Maps produced by the STB's Office of Environmental Analysis are based on information provided by the applicant and are for reference purposes only.



Darlington County



South Carolina