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SERVICE DATE –LATE RELEASE OCTOBER 3, 2014

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 1121X

COLTSVILLE TERMINAL COMPANY, INC.—ABANDONMENT  
EXEMPTION—IN BERKSHIRE COUNTY, MASS.

Decided: October 3, 2014

Coltsville Terminal Company, Inc. (CTC) and Housatonic Railroad Company, Inc. (HRRC) jointly filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments and Discontinuances of Service for CTC to abandon, and for HRRC to discontinue service over, 1.91 miles of rail line between milepost QBY-0.59 and milepost QBY-2.50 in the City of Pittsfield, Berkshire County, Mass. Notice of the exemption was served and published in the Federal Register on September 4, 2014 (79 Fed. Reg. 52,804). The exemption is scheduled to become effective on October 4, 2014.

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on September 11, 2014, recommending that two conditions be imposed on any decision granting abandonment authority: (1) requiring CTC to retain its interest in and take no steps to alter the historic integrity of the historic properties within the project right-of-way that are eligible for listing or are listed on the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, is completed, requiring CTC to report to OEA regarding any consultations with any Section 106 consulting parties, and prohibiting CTC from filing a consummation notice or initiating any salvage activities related to abandonment until the Section 106 process is completed and the Board has removed the condition; and (2) requiring CTC to consult with the Natural Resources Conservation Service (NRCS) prior to commencing any salvage activities regarding measures to minimize impacts to prime farmlands.

Comments in response to the EA were received by the September 26, 2014 due date. OEA issued a final EA on September 30, 2014.

In the final EA, OEA states that the Massachusetts Historical Commission, Office of the State Historic Preservation Officer, submitted comments stating that there are no recorded significant historic properties located in the area that would be affected by the proposed abandonment. Accordingly, OEA finds that the proposed abandonment would have no effect on historic properties pursuant to Section 106 of NHPA. Therefore, OEA recommends that the Section 106 condition previously recommended in the EA not be imposed.

OEA also states that comments were received from NRCS regarding its concern about the potential for an increase of invasive plant species that could intrude into the area of the proposed abandonment following salvage activities. OEA continues to recommend requiring CTC to consult with NRCS prior to commencement of any salvage activities regarding measures to minimize impacts to prime farmlands.

The condition recommended by OEA in the final EA will be imposed. Based on OEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on September 4, 2014, exempting the abandonment of the line described above is subject to the condition that CTC shall consult with NRCS prior to commencement of any salvage activities regarding measures to minimize impacts to prime farmlands.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.