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SERVICE DATE - JANUARY 12, 2001

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

DOCKET NO. AB-88 (Sub. No. 11X)

**Bessemer and Lake Erie Railroad Company Abandonment and Discontinuance of Service
over the Hilliard's Branch in Butler County, Pennsylvania**

BACKGROUND

In this proceeding, the Bessemer and Lake Erie Railroad Company (B&LE) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment and discontinuance of rail service over the Hilliard's Branch line of railroad from Station 195+00 east to the end of the track at Station 380+88.4, a distance of 3.52 miles, in Butler County, Pennsylvania. A map depicting the rail line in relationship to the area served is appended to the report. 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

According to B&LE, there has been no rail traffic on the line since 1994. B&LE describes the area surrounding the line as sparsely populated and isolated. B&LE states that part of the line passes through the small town of Boyers, Pennsylvania, and the rest of the line runs roughly parallel to Slippery Rock Creek, running through hilly, wooded, undeveloped land. A significant portion of the right-of-way would be subject to reversion after abandonment.

ENVIRONMENTAL REVIEW

B&LE 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. B&LE served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

Oral comments have been received from the Butler County Planning Commission indicating that the proposed abandonment would be consistent with existing land use plans.

Oral comments have been received from the U.S. Soil Conservation Service indicating

that the proposed abandonment would have no effect on any prime agricultural land.

Comments have been received from the Pennsylvania Department of Environmental Protection (DEP) indicating that DEP has no objection to the proposed abandonment.

Comments have been received from the Pennsylvania Historical and Museum Commission indicating that there are no structures listed or eligible for inclusion in the National Register of Historic Places.

Comments have been received from the Fish and Wildlife Service (FWS) indicating that no federally listed or proposed threatened or endangered species is located within the area proposed for abandonment. FWS states that a federal candidate species, the eastern massasauga rattlesnake, which the Commonwealth of Pennsylvania lists as endangered, may be located within the area proposed for abandonment. According to FWS, the massasauga rattlesnake would only be affected if the abandonment activity impacts wetland areas. Comments have been received from the Army Corps of Engineers indicating that no designated wetlands or 100-year flood plains would be affected if the proposed abandonment is implemented.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, 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

If abandonment and salvage of the rail line does take place, 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 CFR 1152.28) must be filed with the Surface Transportation 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 Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Rini Ghosh, who prepared this environmental assessment. **Please refer to Docket No. AB-88 (Sub No. 11X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Rini Ghosh at (202) 565-1539.**

Date made available to the public: January 12, 2001.

Comment due date: **January 26, 2001.**

By the Surface Transportation Board, Elaine K. Kaiser, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MAP NEEDS TO BE SCANNED.