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SEA

SERVICE DATE – JULY 19, 2010

**SURFACE TRANSPORTATION BOARD**  
WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

**Docket No. AB 31 (Sub-No. 42X)**

**Grand Trunk Western Railroad Company – Abandonment Exemption –  
in Macomb County, Mich.**

**BACKGROUND**

In this proceeding, Grand Trunk Western Railroad Company (GTW) filed a notice of exemption under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment of a line of railroad in Richmond, Macomb County, Michigan. The rail line proposed for abandonment extends approximately 0.42 miles from Milepost 0.00 to Milepost 0.42. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (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**

GTW states that no local traffic has moved over the line proposed for abandonment during the past two years and there is no overhead traffic on the line to be rerouted. GTW indicates that there is no reasonable possibility for the development of new rail traffic. The line lies entirely within the city limits of Richmond. GTW does not believe that the right-of-way would be of interest to the State or any other entity for public use because it is located in a highly developed urban area with an existing road transportation system.

GTW states that there are not any buildings, structures, or bridges located along the line proposed for abandonment. GTW does not believe that culturally significant locations, archaeological sites, or unique landforms would be affected by the proposed abandonment.

**ENVIRONMENTAL REVIEW**

GTW submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. GTW served the environmental 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> The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

### ***Diversion of Traffic***

According to GTW, no local traffic has moved over the line for at least two years and there is no overhead traffic on the line. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

### ***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. GTW indicates that it intends to salvage rail, ties and track materials from the line. The railbed would remain in place and would not be disturbed. GTW states that precautions would be taken during salvage operations to ensure public safety. To GTW's knowledge, no hazardous commodities were ever handled on this line.

GTW does not foresee any inconsistency with regional or local land use plans as a result of the proposed abandonment. The abandonment of the line would result in the closing of one at-grade crossing at South Forest/Maple Street (DOT Crossing No. 284125J).

The National Geodetic Survey has advised SEA that no geodetic station markers have been identified that may be affected by the proposed abandonment.

The U.S. Department of Agriculture, Natural Resources Conservation Service in East Lansing has determined that the proposed abandonment would not have a negative impact on prime and unique farmland.

GTW indicates that the line does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts.

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<sup>1</sup> The Environmental and Historic Reports are available for viewing on the Board's Web site at [www.stb.dot.gov](http://www.stb.dot.gov) by going to "E-Library," selecting "Filings," and then conducting a search for AB 31 (Sub-No. 42X).

The U.S. Army Corps of Engineers, Detroit District (Corp) has indicated that the proposed abandonment is located within an area where the Corp's regulatory responsibilities have been assumed by the Michigan Department of Natural Resources and Environment (DNR). DNR's Land and Water Management Division has determined, based on the information provided, that a permit would not be required under Part 301, Inland Lakes and Streams, nor Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act.

Based on consultation with the U.S. Fish and Wildlife Service, GTW has determined that the proposed abandonment would have no effect on federally listed threatened or endangered species within the project area. DNR's Wildlife Division has indicated that there are no known occurrences of federal or state-listed endangered, threatened, or otherwise significant species, natural plant communities, or natural features in the area of the proposed abandonment. The line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests.

GTW does not intend to alter the contour of the railbed underlying this line in connection with the proposed abandonment. GTW likewise does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act. The line proposed for abandonment does not pass over any waterways.

SEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage 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, SEA does not believe that salvage activities would cause significant environmental impacts.

## **HISTORIC REVIEW**

GTW served the historic report on the Michigan State Housing Development Authority, State Historic Preservation Office (SHPO) pursuant to 49 C.F.R. § 1105.8(c). The SHPO has indicated that no historic properties would be affected within the area of potential effects of the proposed abandonment (SHPO project number ER-98-426).

Pursuant to the Section 106 regulations of the National Historic Preservation Act at 36 C.F.R. § 800.5(b), and following consultation with the SHPO and the public, we have determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register of Historic Places. The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of the railroad's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public through posting on the Board's Web site at <http://www.stb.dot.gov>.

Pursuant to 36 C.F.R. § 800.2, SEA conducted a search of the Native American Consultation Database at <http://home.nps.gov/nacd/> to identify Federally-recognized tribes which may have ancestral connections to the project area. The database indicated that the Forest County Potawatomi Community, Hannahville Indian Community, and the Saginaw Chippewa Indian Tribe of Michigan may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way (the Area of Potential Effect) of the proposed abandonment. Accordingly, SEA is sending a copy of this EA to these tribes for review and comment.

## **CONDITIONS**

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

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes 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**

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 Federal Register notice.

## **TRAILS 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 as trails (49 C.F.R. § 1152.29).

## **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**

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's Web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to Docket No. AB 31 (Sub-No. 42X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Kenneth Blodgett, the environmental contact for this case, by phone at (202) 245-0305, fax at (202) 245-0454, or e-mail at [blodgettk@stb.dot.gov](mailto:blodgettk@stb.dot.gov).

Date made available to the public: July 19, 2010.

**Comment due date: August 3, 2010.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Attachment