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SERVICE DATE - APRIL 7,2000

**SURFACE TRANSPORTATION BOARD**

WASHINGTON, DC 20423

**ENVIRONMENTAL ASSESSMENT**

AB-32 (SUB-NO.88X)

The Boston and Maine Corporation - ABANDONMENT EXEMPTION - In  
Rockingham and Hillsborough Counties, New Hampshire.

**BACKGROUND**

In this proceeding, the Boston and Maine Corporation (B&M) has filed a petition under 49 U.S.C. 10502 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment and discontinuance of service of 2.95 miles of railroad line between railroad milepost 4.65, and railroad milepost 7.60, in Rockingham and Hillsborough Counties, New Hampshire, which traverses through United States Postal Code 03079. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption 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**

B&M indicate, the proposed Line to be abandoned and discontinued, is the site of commercial redevelopment. The sole active shipper on the Line, B&D Warehouse, ships paper and can goods from its facility. Carload traffic statistics show, B&D Warehouse shipped a total of 194 carloads within the past two consecutive years. Currently, all traffic moving over the Line has been rerouted. There is one bridge on the Line, M&L Branch Bridge, built in 1917.

**ENVIRONMENTAL REVIEW**

The railroad has 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. The railroad has served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Board's environmental rules at 49 CFR 1105.7(b). We have investigated the record in this proceeding.

Also, we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included New Hampshire Department of Environmental Services, Department of Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Services, National Park Service, Soil Conservation Service, National Geodetic Survey, Rockingham County Commissioner, State Historical Preservation Office and the New Hampshire Department of Transportation.

### **CONDITIONS**

We recommend the following environmental conditions be placed on any decision granting abandonment authority:

1. The Natural Resources Conservation Service (NRCS) has expressed concern regarding the impacts on the environment due to rail and ties removal occurring during salvage activity. Therefore, we recommend, that B&M further consult with NRCS, to determine Best Management Practices for salvaging the right-of-way.
2. The New Hampshire Department of Environmental Services(DES) has expressed concern regarding numerous sites for DES regulated facilities present along the right-of-way. DES contends that the right-of-way is comprised of Groundwater Hazard Inventory (GHWI) sites, Underground Storage Tanks (UST's) facilities, and hazardous waste generator (RCRA) sites. Therefore, we recommend, that prior to any salvage activity, B&M further consult with DES to determine if a GHWI site, USTs facilities or a RCRA site will be affected by any salvage activity occurring along the right-of-way.

### **CONCLUSIONS**

Based on the information provided from all sources to date, and subject to the recommended condition(s), 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

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 CFR 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 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 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 Surface Transportation Board, Office of Public Services, Room 848, Washington, DC 20423.

### COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Room 711, Washington, DC 20423, to the attention of Bernard L. Brown, who prepared this environmental assessment. **Please refer to Docket No. AB-32 (Sub No. 88X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Bernard L. Brown at (202) 565-1554.

Date made available to the public: April 7, 2000.

**Comment due date: May 8, 2000.**

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

Vernon A. Williams  
Secretary

PLEASE SCAN THE MAP