

21505

SERVICE DATE - FEBRUARY 18, 1997

SURFACE TRANSPORTATION BOARD¹
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-42 (SUB-NO. 3X)

Aroostook Valley Railroad Company
--Abandonment Exemption--
In Aroostook County, Maine

BACKGROUND

In this proceeding, the Aroostook Valley Railroad Company (AVR) 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 of its railroad line between (1) Milepost 3.04 on Skyway Branch and Skyway Industrial Park; and (2) the new connection with the Bangor and Aroostook Railroad, which lies between AVR Milepost 0.0 at Skyway Junction and Milepost 3.41 on Skyway Branch, all within the City of Presque Isle, Maine. 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

AVR is responsible for freight service on the subject lines for four customers in the Skyway Industrial Park in the City of Presque Isle. Approximately 50% of traffic on the line is inbound, primarily wrapping paper, logs, and utility poles. The outbound traffic is principally veneer. The City of Presque Isle and AVR have entered into an agreement for AVR to sell its rail line to the City, if abandonment of this line is granted. The City would hold the rail line and right-of-way for the resumption of rail service to Skyway Industrial Park by an appropriate

¹ Formerly the Interstate Commerce Commission (ICC). The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the ICC and transferred certain functions and proceedings to the Surface Transportation Board.

operator.

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 U.S. Environmental Protection Agency, National Park Service, Natural Resource Conservation Service, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Maine Department of Environmental Protection, Maine Historic Preservation Commission, and the City of Presque Isle.

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

Following abandonment and salvage of the rail line, the right-of-way may not be suitable for other public use. AVR indicates that the City of Presque Isle intends to purchase the line and resume operation to the Skyway Industrial Park by an

appropriate operator. 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 Assistance (OPA) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPA directly at (202) 927-6184, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Room 4412, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and one copy** to the Board's Section of Environmental Analysis, Office of Economic and Environmental Analysis, Room 3221, Washington, DC 20423, to the attention of Victoria Rutson, who prepared this environmental assessment. **Please refer to Docket No. AB-42 (Sub No. 3X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ms. Rutson at (202) 927-6211.

Date made available to the public: February 13, 1997.

Comment due date: March 10, 1997.

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

Vernon A. Williams
Secretary