

34130

SERVICE DATE - NOVEMBER 7, 2003

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-254 (Sub-No. 7X)

Providence and Worcester Railroad Company - Abandonment Exemption - In Worcester County, MA, and Windham County, CT

BACKGROUND

In this proceeding, Providence and Worcester Railroad Company (P&W or railroad) filed a notice under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad in Worcester County, Massachusetts (MA) and Windham County, Connecticut (CT). The rail line proposed for abandonment is referred to as the Southbridge Running Track and extends from Milepost 0.18 in Webster, MA to Milepost 10.98 in Southbridge, MA. The total distance is approximately 10.8 miles. P&W does not intend to remove rails, crossties, ballast, bridges or other track material, or disturb the underlying roadbed. A map depicting the rail line in relationship to the area served is appended to this report.

DESCRIPTION OF THE LINE

Based on topographic maps and photographs, the land use in the vicinity of the right-of-way (ROW) includes both wooded and commercial areas. The width of the ROW is generally 82 feet but narrows to 40 feet in some areas. According to P&W, trains have not moved on the line since 1988. Prior to this date, shipments were made to industrial customers including American Optical Company and West Dudley Paper Mill.

The subject line was operated by Penn Central and its predecessors beginning in 1851. These predecessors included the Southbridge and Blackstone Railroad; Boston, Hartford and Erie Railroad; New York and New England Railroad; and Norwich and Worcester Railroad. Use of the rail line began to decline in the 1950s and 1960s. The line was acquired by P&W in 1976 and was operated on an as needed basis for a limited number of customers until 1988. The service from 1976 to 1988 was limited to a single engine and boxcar. According to P&W, there are four bridges on the line that were constructed from 1890 to 1901 and these four bridges may be eligible for listing on the National Register of Historic Places.

ENVIRONMENTAL REVIEW

The railroad submitted environmental and historical reports that indicate that the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities. The railroad served these reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) reviewed and investigated the record in this proceeding.

The U.S. Department of Agriculture, Natural Resources Conservation Service - District Conservationists at Holden, MA and Brooklyn, CT (formerly the Soil Conservation Service) concluded that the proposed abandonment would not affect prime farmland.

The Central Massachusetts Regional Planning Commission (Commission) noted that use of the subject rail line as a multi-use trail has been included in the Regional Transportation Plan since 1993. The Providence & Worcester Railfan Club, Inc. expressed support for use of the ROW for a tourist rail line.

Because traffic has not moved on the subject rail line since 1988, the proposed abandonment would not be expected to impact the development, use and transportation of energy resources or recyclable commodities, or result in the diversion of rail traffic to truck traffic that could result in impacts to air quality or the local transportation network.

The U.S. Army Corps of Engineers - New England District concluded that the proposed abandonment, as outlined by P&W, would not involve the discharge of dredged or fill material in waters of the United States, including wetlands. Therefore, a Department of the Army permit under Section 404 of the Clean Water Act (33 U.S.C. 1344) would not be required.

The U.S. Fish and Wildlife Service - New England Field Office stated that Federally-listed or proposed threatened or endangered species or critical habitat are not known to be in the project area. Therefore, adverse impacts to these resources would not be expected.

The CT Department of Environmental Protection concurred that the proposed abandonment would be consistent with State Water Quality Standards and that permits under Section 402 of the Clean Water Act would not be required. The U.S. Environmental Protection Agency - Region 1 and the MA Department of Environmental Protection had not responded to P&W's environmental report at the time this environmental assessment (EA) was prepared. However, water and air quality impacts would not be expected because salvaging activities are not proposed by P&W.

According to NSR, there are no known hazardous waste sites or hazardous material spill sites on the subject ROW.

The U.S. Department of Commerce's National Geodetic Survey (NGS) identified one geodetic station marker that may be affected if salvaging activities were to occur. Although P&W does not currently intend to conduct any salvaging activities, SEA recommends a condition to address the NGS concern in the event that salvaging plans are subsequently developed by P&W.

The MA Historical Commission and CT Historical Commission (the State Historic Preservation Offices or SHPOs) had not completed their assessments of the proposed abandonment at the time this EA was prepared. Pending completion of these assessments, SEA recommends a condition to ensure compliance with the National Historic Preservation Act, 16 U.S.C. 470f.

CONDITIONS

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

1. The National Geodetic Survey (NGS) has identified one geodetic marker that could be affected by the proposed abandonment. Therefore, if the railroad elects to proceed with any salvaging activities, the railroad shall notify the NGS 90 days prior to these activities.
2. The railroad shall take no steps to alter the historic integrity of the right-of-way until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line would 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 of the rail line does take place, the ROW 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 20 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 ROWs 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 Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of David Navecky, who prepared this environmental assessment. **Please refer to STB Docket No. AB-254 (Sub-No. 7X) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to David Navecky at 202-565-1593 (naveckyd@stb.dot.gov).**

Date made available to the public: November 7, 2003

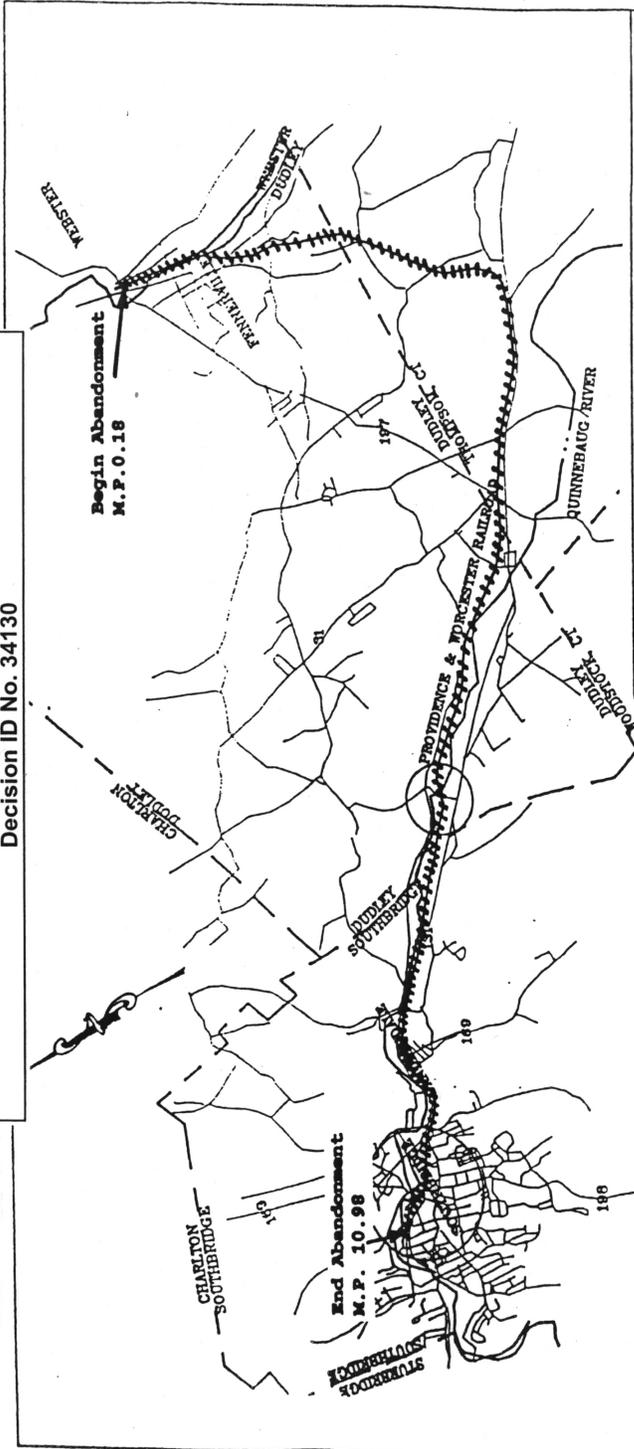
Comment due date: **November 21, 2003**

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

Vernon A. Williams
Secretary

Attachment

ENVIRONMENTAL ASSESSMENT
 STB DOCKET NO. AB-254 (Sub-No. 7X)
 Providence and Worcester Railroad Company
 Abandonment Exemption
 In Worcester County, MA and Windham County, CT
 Decision ID No. 34130



SOUTHBRIDGE RUNNING TRACK
 WEBSTER, DUDLEY, and SOUTHERIDGE, WORCESTER COUNTY, MASSACHUSETTS
 THOMPSON, WINDHAM COUNTY, CONNECTICUT

SEPTEMBER 12, 2003

PROVIDENCE & WORCESTER R.R. CO.



SHEET 1 OF 1

10.80 Miles of Line to be Abandoned