

28778

SERVICE DATE - FEBRUARY 6, 1998
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

NO. AB-32 (SUB-NO. 83)
and
AB-355 (Sub-No. 23)

BOSTON AND MAINE CORPORATION
ABANDONMENT AND DISCONTINUANCE OF SERVICE
IN HARTFORD AND NEW HAVEN COUNTIES, CONNECTICUT

BACKGROUND

In this proceeding, the Boston and Maine Corporation (B&M) and Springfield Terminal Railway Company (ST) have filed an application seeking authority under 49 U.S.C. 10903 to abandon and discontinue service on the railroad line located between milepost 14.50 in Cheshire and milepost 24.00 in Southington, a distance of 9.50 miles in located in Hartford and New Haven Counties, Connecticut. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, 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

Two former shippers on the line (Country Lumber and Dalton Enterprises) have not shipped or received rail shipments since November 1994. The sole remaining shipper on the line, Rex Forge, receives very occasional (roughly once every five years) delivery of certain heavy machinery. B&M states that it is willing to develop a transload arrangement to accommodate future deliveries, if any, of this type. Applicant further states that discontinuance of rail service would not result in an increase in local road traffic volumes.

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; the U.S. Fish and Wildlife Service; the U.S. Army Corps of Engineers; the Connecticut Historical Commission; and the office of the Executive Director of the Capitol Region Council of Governments.

CONDITIONS

The Connecticut Historical Commission advises that the line "encompasses an important section of the historical Farmington Canal, which is listed on the National Register of Historic Places." Therefore, **we recommend that Boston & Maine Corporation shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the line 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, and subject to the recommended condition, 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. The Town of Cheshire and the Farmington Canal Rail to Trail Association have expressed a desire to acquire and develop public projects on the property, including a recreational path. 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 certificate of interim trail use (CITU) is due to the Board, with a copy to the railroad, within 30 days of filing of the application. 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) 565-1594, 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, Suite 700, Washington, DC 20423, to the attention of Victoria Rutson, who prepared this environmental assessment. **Please refer to Docket No. AB-32 (Sub No. 83) and AB 355 (Sub-No. 23) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ms. Rutson at (202) 565-1545.

Date made available to the public: February 3, 1998.

Comment due date: March 2, 1998.

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

Vernon A. Williams
Secretary

MAP TO BE SCANNED